A/ES-10/500

United Nations

Resolutions and Decisions

adopted by the General Assembly during its tenth emergency special session

24 April 1997 – 16 January 2009

General Assembly
Official Records • Tenth Emergency Special Session
Supplement No. 1 (A/ES-10/500)

Please recycle

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United Nations • New York, 2010

NOTE

The resolutions and decisions of the General Assembly are identified as follows:

Regular sessions

Until the thirtieth regular session, the resolutions of the General Assembly were identified by an arabic numeral followed by a roman numeral in parentheses indicating the session (for example: resolution 3363 (XXX)). When several resolutions were adopted under the same number, each of them was identified by a capital letter placed between the two numerals (for example: resolution 3367 A (XXX), resolutions 3411 A and B (XXX), resolutions 3419 A to D (XXX)). The decisions were not numbered.

Since the thirty-first session, as part of the new system adopted for symbols of General Assembly documents, resolutions and decisions have been identified by an arabic numeral, indicating the session, followed by an oblique stroke and another arabic numeral (for example: resolution 31/1, decision 31/301). When several resolutions or decisions were adopted under the same number, each of them has been identified by a capital letter placed after the two numerals (for example: resolution 31/16 A, resolutions 31/6 A and B, decisions 31/406 A to E).

Special sessions

Until the seventh special session, the resolutions of the General Assembly were identified by an arabic numeral followed, in parentheses, by the letter "S" and a roman numeral indicating the session (for example: resolution 3362 (S-VII)). The decisions were not numbered.

Since the eighth special session, resolutions and decisions have been identified by the letter "S" and an arabic numeral indicating the session, followed by an oblique stroke and another arabic numeral (for example: resolution S-8/1, decision S-8/11).

Emergency special sessions

Until the fifth emergency special session, the resolutions of the General Assembly were identified by an arabic numeral followed, in parentheses, by the letters "ES" and a roman numeral indicating the session (for example: resolution 2252 (ES-V)). The decisions were not numbered.

Since the sixth emergency special session, resolutions and decisions have been identified by the letters "ES" and an arabic numeral indicating the session, followed by an oblique stroke and another arabic numeral (for example: resolution ES-6/1, decision ES-6/11).

In each of the series described above, the numbering follows the order of adoption.

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* *

The present volume contains the resolutions and decisions adopted by the General Assembly at the tenth emergency special session from 24 April 1997 to 16 January 2009, as well as the information requested by the Assembly in section C, paragraph 3, of its resolution 54/248 of 23 December 1999. At its 36th plenary meeting, on 16 January 2009, the Assembly decided to adjourn the tenth emergency special session temporarily and to authorize the President of the Assembly at its most recent session to resume its meeting upon request from Member States (resolution ES-10/18, para. 6). Any further resolutions or decisions that may be adopted by the Assembly at the tenth emergency special session will appear in an addendum to the present volume.

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RESOLUTION ES-10/1

Adopted at the 3rd plenary meeting, on 25 April 1997, without a vote, on the basis of the report of the Credentials Committee (A/ES-10/5)

ES-10/1. Credentials of representatives to the tenth emergency special session of the General Assembly

The General Assembly,

Having considered the report of the Credentials Committee[1] and the recommendation contained therein,

Approves the report of the Credentials Committee.[1]

RESOLUTION ES-10/2

Adopted at the 3rd plenary meeting, on 25 April 1997, by a recorded vote of 134 to 3, with 11 abstentions,* on the basis of draft resolution A/ES-10/L.1 and Add.1, sponsored by: Afghanistan, Algeria, Bahrain, Bangladesh, Bosnia and Herzegovina, Brunei Darussalam, Cambodia, Comoros, Cuba, Democratic People's Republic of Korea, Djibouti, Egypt, India, Indonesia, Jordan, Kuwait, Madagascar, Malaysia, Maldives, Mauritania, Mauritius, Morocco, Oman, Pakistan, Qatar, Saudi Arabia, Sierra Leone, Sudan, Tunisia, United Arab Emirates, United Republic of Tanzania, Viet Nam, Yemen, Zimbabwe

* *In favour*: Afghanistan, Albania, Algeria, Andorra, Angola, Antigua and Barbuda, Argentina, Armenia, Austria, Azerbaijan, Bahrain, Bangladesh, Barbados, Belarus, Belgium, Benin, Bhutan, Bolivia, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Burundi, Cambodia, Chile, China, Colombia, Comoros, Costa Rica, Côte d'Ivoire, Cuba, Cyprus, Czech Republic, Democratic People's Republic of Korea, Denmark, Djibouti, Ecuador, Egypt, El Salvador, Eritrea, Estonia, Ethiopia, Finland, France, Gabon, Ghana, Greece, Guatemala, Guyana, Haiti, Honduras, Hungary, Iceland, India, Indonesia, Iran (Islamic Republic of), Ireland, Italy, Jamaica, Japan, Jordan, Kazakhstan, Kenya, Kuwait, Lao People's Democratic Republic, Lebanon, Lesotho, Libyan Arab Jamahiriya, Liechtenstein, Luxembourg, Malawi, Malaysia, Maldives, Mali, Malta, Mauritania, Mauritius, Mexico, Monaco, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nepal, Netherlands, New Zealand, Niger, Nigeria, Oman, Pakistan, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Russian Federation, Saint Kitts and Nevis, Saint Lucia, San Marino, Saudi Arabia, Senegal, Sierra Leone, Singapore, Slovakia, Slovenia, Solomon Islands, South Africa, Spain, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Syrian Arab Republic, Tajikistan, Thailand, the former Yugoslav Republic of Macedonia, Trinidad and Tobago, Tunisia, Turkey, Turkmenistan, Uganda, Ukraine, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, Venezuela,[2] Viet Nam, Yemen, Zimbabwe

Against: Israel, Micronesia (Federated States of), United States of America

Abstaining: Australia, Canada, Germany, Latvia, Liberia, Lithuania, Marshall Islands, Norway, Romania, Rwanda, Uruguay

ES-10/2. Illegal Israeli actions in Occupied East Jerusalem and the rest of the Occupied Palestinian Territory

The General Assembly,

Aware of the commencement, after the adoption of General Assembly resolution 51/223 of 13 March 1997, of construction by Israel, the occupying Power, of a new settlement in Jebel Abu Ghneim to the south of East Jerusalem on 18 March 1997, and of other illegal Israeli actions in Jerusalem and the rest of the Occupied Palestinian Territory,

Noting with regret that the Security Council, at its 3747th meeting, on 7 March 1997, and at its 3756th meeting, on 21 March 1997, twice failed to adopt a resolution on the actions referred to above, as a result of the negative vote of a permanent member of the Council,

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[1] A/ES-10/5.

[2] Known since 17 November 2004 as the Bolivarian Republic of Venezuela.

Reaffirming the permanent responsibility of the United Nations with regard to the question of Palestine until it is solved in all its aspects,

Reaffirming also the principle of the inadmissibility of the acquisition of territory by force,

Having considered the serious deterioration of the situation in the Occupied Palestinian Territory, including Jerusalem, and in the Middle East in general, including the serious difficulties facing the Middle East peace process, as a result of recent Israeli actions and measures,

Affirming its support for the Middle East peace process, started at Madrid in 1991, on the basis of Security Council resolutions 242 (1967) of 22 November 1967, 338 (1973) of 22 October 1973 and 425 (1978) of 19 March 1978, for the principle of land for peace and for the full and timely implementation of the agreements reached between the Government of Israel and the Palestine Liberation Organization, the representative of the Palestinian people, and of all commitments reached between the parties,

Recalling its relevant resolutions, including resolutions 181 (II) of 29 November 1947 and 51/223, and the relevant resolutions of the Security Council, in particular those on Jerusalem and Israeli settlements in the occupied territories, including resolutions 252 (1968) of 21 May 1968, 446 (1979) of 22 March 1979, 452 (1979) of 20 July 1979, 465 (1980) of 1 March 1980, 476 (1980) of 30 June 1980, 478 (1980) of 20 August 1980, 672 (1990) of 12 October 1990 and 1073 (1996) of 28 September 1996,

Reaffirming that the international community, through the United Nations, has a legitimate interest in the question of the City of Jerusalem and the protection of the unique spiritual and religious dimension of the City, as foreseen in relevant United Nations resolutions on this matter,

Reaffirming also the applicability of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949,[3] and the Regulations annexed to the Hague Convention IV of 1907[4] to the Occupied Palestinian Territory, including Jerusalem, and all other Arab territories occupied by Israel since 1967,

Recalling the obligation of the High Contracting Parties to the Geneva Convention relative to the Protection of Civilian Persons in Time of War to respect and ensure respect for the Convention in all circumstances, in accordance with article 1 of the Convention,

Conscious of the serious dangers arising from persistent violation and grave breaches of the Convention and the responsibilities arising therefrom,

Convinced that ensuring respect for treaties and other sources of international law is essential for the maintenance of international peace and security, and determined, in accordance with the Preamble to the Charter of the United Nations, to establish conditions under which justice and respect for the obligations arising from treaties and other sources of international law can be maintained,

Also convinced, in this context, that the repeated violation by Israel, the occupying Power, of international law and its failure to comply with relevant Security Council and General Assembly resolutions and the agreements reached between the parties undermine the Middle East peace process and constitute a threat to international peace and security,

Increasingly concerned about the actions of armed Israeli settlers in the Occupied Palestinian Territory, including Jerusalem,

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[3] United Nations, *Treaty Series*, vol. 75, No. 973.

[4] See Carnegie Endowment for International Peace, *The Hague Conventions and Declarations of 1899 and 1907* (New York, Oxford University Press, 1915).

Aware that, in the circumstances, it should consider the situation with a view to making appropriate recommendations to the States Members of the United Nations, in accordance with General Assembly resolution 377 A (V) of 3 November 1950,

1. *Condemns* the construction by Israel, the occupying Power, of a new settlement in Jebel Abu Ghneim to the south of Occupied East Jerusalem and all other illegal Israeli actions in all the occupied territories;

2. *Reaffirms* that all legislative and administrative measures and actions taken by Israel, the occupying Power, that have altered or purported to alter the character, legal status and demographic composition of Jerusalem are null and void and have no validity whatsoever;

3. *Reaffirms also* that Israeli settlements in all the territories occupied by Israel since 1967 are illegal and an obstacle to peace;

4. *Demands* immediate and full cessation of the construction in Jebel Abu Ghneim and of all other Israeli settlement activities, as well as of all illegal measures and actions in Jerusalem;

5. *Demands also* that Israel accept the de jure applicability of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949,[3] to all the territories occupied since 1967, and that it comply with relevant Security Council resolutions, in accordance with the Charter of the United Nations;

6. *Stresses* the need to preserve the territorial integrity of all of the Occupied Palestinian Territory and to guarantee the freedom of movement of persons and goods in the territory, including the removal of restrictions into and from East Jerusalem, and the freedom of movement to and from the outside world;

7. *Calls for* the cessation of all forms of assistance and support for illegal Israeli activities in the Occupied Palestinian Territory, including Jerusalem, in particular settlement activities;

8. *Recommends* to the States that are High Contracting Parties to the Geneva Convention relative to the Protection of Civilian Persons in Time of War to take measures, on a national or regional level, in fulfilment of their obligations under article 1 of the Convention, to ensure respect by Israel, the occupying Power, of the Convention;

9. *Requests* the Secretary-General to monitor the situation and to submit a report on the implementation of the present resolution, within two months of its adoption, in particular on the cessation of the construction of the new settlement in Jebel Abu Ghneim and of all other illegal Israeli actions in Occupied East Jerusalem and the rest of the Occupied Palestinian Territory;

10. *Expresses the need* for scrupulous implementation of the agreements reached between the parties, and urges the sponsors of the peace process, the interested parties and the entire international community to exert all the necessary efforts to revive the peace process and to ensure its success;

11. *Recommends* that a comprehensive, just and lasting solution to the question of the City of Jerusalem, which should be reached in permanent status negotiations between the parties, should include internationally guaranteed provisions to ensure the freedom of religion and of conscience of its inhabitants, as well as permanent, free and unhindered access to the Holy Places by the faithful of all religions and nationalities;

12. *Rejects* terrorism in all its forms and manifestations, in accordance with all relevant United Nations resolutions and declarations;

13. *Decides* to adjourn the tenth emergency special session of the General Assembly temporarily and to authorize the President of the General Assembly to resume its meetings upon request from Member States.

RESOLUTION ES-10/3

Adopted at the 5th plenary meeting, on 15 July 1997, by a recorded vote of 131 to 3, with 14 abstentions,* on the basis of draft resolution A/ES-10/L.2/Rev.1, as orally revised, sponsored by Algeria, Bahrain, Bangladesh, Brunei Darussalam, Cuba, Djibouti, Egypt, Indonesia, Jordan, Kuwait, Malaysia, Mauritania, Morocco, Oman, Pakistan, Qatar, Saudi Arabia, Sierra Leone, Sudan, Tunisia, United Arab Emirates, Viet Nam, Yemen

* *In favour:* Albania, Algeria, Antigua and Barbuda, Argentina, Armenia, Austria, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belgium, Benin, Bhutan, Bolivia, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Cambodia, Canada, Cape Verde, Chile, China, Colombia, Comoros, Côte d'Ivoire, Cuba, Cyprus, Czech Republic, Democratic People's Republic of Korea, Denmark, Djibouti, Ecuador, Egypt, Eritrea, Estonia, Ethiopia, Finland, France, Gabon, Ghana, Greece, Guinea, Guinea-Bissau, Guyana, Haiti, Hungary, Iceland, India, Indonesia, Iran (Islamic Republic of), Ireland, Italy, Jamaica, Japan, Jordan, Kazakhstan, Kenya, Kuwait, Lao People's Democratic Republic, Lebanon, Lesotho, Liberia, Libyan Arab Jamahiriya, Liechtenstein, Luxembourg, Malawi, Malaysia, Maldives, Mali, Malta, Mauritania, Mauritius, Mexico, Monaco, Morocco, Mozambique, Myanmar, Namibia, Nepal, Netherlands, New Zealand, Niger, Nigeria, Norway, Oman, Pakistan, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Saint Kitts and Nevis, Saint Lucia, Samoa, San Marino, Saudi Arabia, Senegal, Sierra Leone, Singapore, Slovenia, Solomon Islands, South Africa, Spain, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Syrian Arab Republic, Thailand, the former Yugoslav Republic of Macedonia, Trinidad and Tobago, Tunisia, Turkey, Turkmenistan, Uganda, Ukraine, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, Uruguay, Venezuela, Viet Nam, Yemen, Zimbabwe

Against: Israel, Micronesia (Federated States of), United States of America

Abstaining: Andorra, Australia, Costa Rica, Croatia, Germany, Latvia, Lithuania, Marshall Islands, Nicaragua, Romania, Russian Federation, Rwanda, Slovakia, Uzbekistan

ES-10/3. Illegal Israeli actions in Occupied East Jerusalem and the rest of the Occupied Palestinian Territory

The General Assembly,

Having received with appreciation the report of the Secretary-General,[5]

Recalling all relevant United Nations resolutions,

Reaffirming its resolution ES-10/2 of 25 April 1997,

Having been informed in the report of the Secretary-General that, inter alia, the Government of Israel, as of 20 June 1997, has not abandoned its construction of the new Israeli settlement at Jebel Abu Ghneim and that settlement activity, including the expansion of existing settlements, the construction of bypass roads, the confiscation of lands adjacent to settlements and related activities, in violation of Security Council resolutions on the matter, continues unabated throughout the Occupied Palestinian Territory, and also that the Israeli Prime Minister and other representatives of the Government continue to reject the terms of resolution ES-10/2 requiring the cessation of those activities,

Aware that, in the light of the position of the Government of Israel, as indicated in the report of the Secretary-General, the General Assembly should once more consider the situation with a view to making additional appropriate recommendations to States Members of the United Nations, in accordance with General Assembly resolution 377 A (V) of 3 November 1950,

1. *Condemns* the failure of the Government of Israel to comply with the demands made by the General Assembly at its tenth emergency special session in resolution ES-10/2;

2. *Strongly deplores* the lack of cooperation of the Government of Israel and its attempts to impose restrictions upon the intended mission of the Special Envoy of the Secretary-General to Israel and the Occupied Palestinian Territory, including Jerusalem;

[5] A/ES-10/6-S/1997/494 and Corr.1 and Add.1.

3. *Reaffirms* that all illegal Israeli actions in Occupied East Jerusalem and the rest of the Occupied Palestinian Territory, especially settlement activity, and the practical results thereof cannot be recognized, irrespective of the passage of time;

4. *Reiterates* the demands made in resolution ES-10/2, in particular for the immediate and full cessation of the construction of a new settlement at Jebel Abu Ghneim, to the south of Occupied East Jerusalem, and of all other Israeli settlement activities, as well as of all illegal measures and actions in Jerusalem;

5. *Demands* that Israel, the occupying Power, immediately cease and reverse all actions taken illegally, in contravention of international law, against Palestinian Jerusalemites;

6. *Recommends* to Member States that they actively discourage activities which directly contribute to any construction or development of Israeli settlements in the Occupied Palestinian Territory, including Jerusalem, as these activities contravene international law;

7. *Demands* that Israel, the occupying Power, make available to Member States the necessary information about goods produced or manufactured in the illegal settlements in the Occupied Palestinian Territory, including Jerusalem;

8. *Stresses* that all Member States, in order to ensure their rights and benefits resulting from membership, should fulfil in good faith the obligations assumed by them in accordance with the provisions of the Charter of the United Nations;

9. *Emphasizes* the responsibilities, including personal ones, arising from persistent violations and grave breaches of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949;[3]

10. *Recommends* that the High Contracting Parties to the Geneva Convention relative to the Protection of Civilian Persons in Time of War convene a conference on measures to enforce the Convention in the Occupied Palestinian Territory, including Jerusalem, and to ensure its respect, in accordance with common article 1, and requests the Secretary-General to present a report on the matter within three months;

11. *Calls for* the reinjection of momentum into the stalled Middle East peace process and for the implementation of the agreements reached between the Government of Israel and the Palestine Liberation Organization, as well as for the upholding of the principles of the process, including the exchange of land for peace, and calls upon the two sides to refrain from actions that impede the peace process by pre-empting permanent status negotiations;

12. *Stresses* the need for actions in accordance with the Charter, to continue to ensure respect for international law and relevant United Nations resolutions;

13. *Decides* to adjourn the tenth emergency special session of the General Assembly temporarily and to authorize the President of the most recent General Assembly to resume its meetings upon request from Member States.

RESOLUTION ES-10/4

Adopted at the 7th plenary meeting, on 13 November 1997, by a recorded vote of 139 to 3, with 13 abstentions,* on the basis of draft resolution A/ES-10/L.3 and Add.1, as orally revised, sponsored by: Algeria, Bahrain, Bangladesh, Brunei Darussalam, Comoros, Cuba, Djibouti, Egypt, Indonesia, Jordan, Kuwait, Malaysia, Mauritania, Morocco, Oman, Pakistan, Qatar, Saudi Arabia, Sierra Leone, Sudan, Tunisia, United Arab Emirates, Viet Nam, Yemen

* *In favour:* Afghanistan, Albania, Algeria, Andorra, Angola, Antigua and Barbuda, Argentina, Armenia, Austria, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belgium, Belize, Benin, Bhutan, Bolivia, Botswana, Brazil, Brunei Darussalam, Burkina Faso, Canada, Cape Verde, Chad, Chile, China, Colombia, Côte d'Ivoire, Croatia, Cuba, Cyprus, Czech Republic, Democratic People's Republic of Korea, Democratic Republic of the Congo, Denmark, Djibouti, Ecuador, Egypt, Eritrea, Estonia, Ethiopia, Finland, France, Germany, Ghana, Greece, Guinea, Guinea-Bissau, Guyana, Haiti, Hungary, Iceland, India, Indonesia, Iran (Islamic Republic of), Ireland, Italy, Jamaica, Japan, Jordan, Kazakhstan, Kenya,

Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Latvia, Lebanon, Liberia, Libyan Arab Jamahiriya, Liechtenstein, Lithuania, Luxembourg, Malawi, Malaysia, Maldives, Mali, Malta, Mauritania, Mauritius, Mexico, Monaco, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nepal, Netherlands, New Zealand, Niger, Nigeria, Norway, Oman, Pakistan, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova,[6] Russian Federation, Samoa, San Marino, Saudi Arabia, Senegal, Sierra Leone, Singapore, Slovakia, Slovenia, Solomon Islands, South Africa, Spain, Sri Lanka, Sudan, Suriname, Sweden, Syrian Arab Republic, Tajikistan, Thailand, the former Yugoslav Republic of Macedonia, Togo, Trinidad and Tobago, Tunisia, Turkey, Uganda, Ukraine, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, Venezuela, Viet Nam, Yemen, Zimbabwe

Against: Israel, Micronesia (Federated States of), United States of America

Abstaining: Australia, Bulgaria, Burundi, Cameroon, Costa Rica, Georgia, Marshall Islands, Nicaragua, Romania, Rwanda, Swaziland, Uzbekistan, Zambia

ES-10/4. Illegal Israeli actions in Occupied East Jerusalem and the rest of the Occupied Palestinian Territory

The General Assembly,

Having received the report of the Secretary-General submitted in accordance with paragraph 10 of its resolution ES-10/3 of 15 July 1997,[7]

Having received at an earlier date the report of the Secretary-General submitted in accordance with paragraph 9 of its resolution ES-10/2 of 25 April 1997,[5]

Determined to uphold the purposes and principles of the Charter of the United Nations, international humanitarian law and all other instruments of international law, as well as relevant General Assembly and Security Council resolutions,

Reiterating the demands made in resolutions ES-10/2 and ES-10/3, namely:

(*a*) The immediate and full cessation of the construction in Jebel Abu Ghneim and of all other Israeli settlement activities, as well as of all illegal measures and actions in Jerusalem,

(*b*) That Israel accept the de jure applicability of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949,[3] to all the territories occupied since 1967, and that it comply with relevant Security Council resolutions, in accordance with the Charter of the United Nations,

(*c*) That Israel, the occupying Power, immediately cease and reverse all actions taken illegally, in contravention of international law, against Palestinian Jerusalemites,

(*d*) That Israel, the occupying Power, make available to Member States the necessary information about goods produced or manufactured in the illegal settlements in the Occupied Palestinian Territory, including Jerusalem,

Aware that Israel, the occupying Power, has not heeded any of the above-mentioned demands and that it continues with its illegal actions in Occupied East Jerusalem and the rest of the Occupied Palestinian Territory,

Having been informed in the report of the Secretary-General[5] of the responses of the High Contracting Parties to the Geneva Convention and of the collective responses transmitted through letters from the President of the Coordinating Bureau of the Movement of Non-Aligned Countries, the Secretary-General of the League of Arab States and the Presidency of the Council of the European Union, to the note sent by the Government of Switzerland in its capacity as the depositary of the Convention,

Reaffirming the permanent responsibility of the United Nations with regard to the question of Palestine until it is solved in all its aspects,

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[6] Known between 6 October 2006 and 10 September 2008 as Moldova.

[7] A/ES-10/16-S/1997/798 and Add.1.

Having received a letter dated 20 August 1997 from the Permanent Observer Mission of Palestine to the United Nations,[8] informing about specific cases of assistance by individuals for illegal settlement activities,

Gravely concerned at the continuing deterioration of the Middle East peace process and the lack of implementation of the agreements reached,

Reaffirming that all illegal Israeli actions in Occupied East Jerusalem and the rest of the Occupied Palestinian Territory, especially settlement activities, and the practical results thereof, cannot be recognized irrespective of the passage of time,

Recalling its rejection of terrorism in all its forms and manifestations in accordance with all relevant resolutions and declarations of the United Nations,

1. *Condemns* the failure of the Government of Israel to comply with the provisions of resolutions ES-10/2 and ES-10/3, in particular the continuation of the building of a new settlement in Jebel Abu Ghneim to the south of Occupied East Jerusalem;

2. *Reiterates its call for* the cessation of all forms of assistance and support for illegal Israeli activities in the Occupied Palestinian Territory, including Jerusalem, in particular settlement activities;

3. *Reiterates its recommendation* to the High Contracting Parties to the Geneva Convention relative to the Protection of Civilian Persons in Time of War,[3] to take measures on a national or regional level, in fulfilment of their obligations under article 1 of the Convention, to ensure respect by Israel, the occupying Power, of the Convention, as well as its recommendation to Member States to actively discourage activities that directly contribute to any construction or development of Israeli settlements in the Occupied Palestinian Territory, including Jerusalem, as these activities contravene international law;

4. *Reiterates also its recommendation* that the High Contracting Parties to the Geneva Convention convene a conference on measures to enforce the Convention in the Occupied Palestinian Territory, including Jerusalem, and to ensure its respect in accordance with common article 1;

5. *Recommends* to the Government of Switzerland, in its capacity as the depositary of the Geneva Convention, to undertake the necessary steps, including the convening of a meeting of experts in order to follow up on the above-mentioned recommendation, as soon as possible and with a target date not later than the end of February 1998;

6. *Requests* the Government of Switzerland to invite the Palestine Liberation Organization to participate in the above-mentioned conference and any preparatory steps for that conference;

7. *Calls for* reinjecting momentum into the stalled Middle East peace process and for the implementation of the agreements reached between the Government of Israel and the Palestine Liberation Organization, as well as for the upholding of the principles of the process, including the exchange of land for peace;

8. *Decides* that, in case of continuous lack of compliance by Israel, the occupying Power, with the provisions of resolutions ES-10/2 and ES-10/3, it shall reconsider the situation with a view to making further appropriate recommendations to the States Members of the United Nations in accordance with its resolution 377 A (V) of 3 November 1950;

9. *Decides* to adjourn the tenth emergency special session of the General Assembly temporarily and to authorize the President of the most recent General Assembly to resume its meetings upon request from Member States.

[8] A/ES-10/14.

RESOLUTION ES-10/5

Adopted at the 9th plenary meeting, on 17 March 1998, by a recorded vote of 120 to 3, with 5 abstentions,* on the basis of draft resolution A/ES-10/L.4/Rev.1 and Add.1, sponsored by: Afghanistan, Algeria, Bahrain, Bangladesh, Comoros, Cuba, Djibouti, Egypt, Indonesia, Jordan, Kuwait, Malaysia, Mauritania, Morocco, Oman, Pakistan, Qatar, Saudi Arabia, Sudan, Tunisia, United Arab Emirates, Viet Nam, Yemen

* *In favour*: Afghanistan, Algeria, Andorra, Angola, Argentina, Armenia, Austria, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belgium, Belize, Bhutan, Bolivia, Brazil, Brunei Darussalam, Burkina Faso, Canada, Chile, China, Colombia, Comoros, Côte d'Ivoire, Croatia, Cuba, Cyprus, Czech Republic, Democratic People's Republic of Korea, Denmark, Egypt, Eritrea, Estonia, Ethiopia, Finland, France, Gabon, Germany, Ghana, Greece, Guyana, Hungary, Iceland, India, Indonesia, Iran (Islamic Republic of), Ireland, Italy, Jamaica, Japan, Jordan, Kazakhstan, Kenya, Kuwait, Lao People's Democratic Republic, Latvia, Lebanon, Liberia, Libyan Arab Jamahiriya, Liechtenstein, Lithuania, Luxembourg, Malawi, Malaysia, Maldives, Mali, Malta, Mauritania, Mauritius, Mexico, Monaco, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nepal, Netherlands, New Zealand, Nigeria, Norway, Oman, Pakistan, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Russian Federation, Samoa, San Marino, Saudi Arabia, Senegal, Singapore, Slovakia, Slovenia, Solomon Islands, South Africa, Spain, Sri Lanka, Sudan, Suriname, Sweden, Syrian Arab Republic, Tajikistan, Thailand, the former Yugoslav Republic of Macedonia, Tunisia, Turkey, Uganda, Ukraine, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, Venezuela, Viet Nam, Zimbabwe

Against: Israel, Micronesia (Federated States of), United States of America

Abstaining: Australia, Bulgaria, Marshall Islands, Romania, Swaziland

ES-10/5. Illegal Israeli actions in Occupied East Jerusalem and the rest of the Occupied Palestinian Territory

The General Assembly,

Reaffirming its resolutions ES-10/2 of 25 April 1997, ES-10/3 of 15 July 1997 and ES-10/4 of 13 November 1997,

Determined to uphold the purposes and principles of the Charter of the United Nations, international humanitarian law and all other instruments of international law, as well as relevant General Assembly and Security Council resolutions,

Increasingly concerned about the persistent violations by Israel, the occupying Power, of the provisions of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949,[3] including its settlement construction at Jebel Abu Ghneim to the south of Occupied East Jerusalem, and its failure to accept the de jure applicability of the Convention to the Occupied Palestinian Territory, including Jerusalem, and the rest of the Arab territories occupied since 1967,

Aware that the necessary steps recommended in paragraph 5 of resolution ES-10/4, including the convening of a meeting of experts with a target date not later than the end of February 1998 in order to follow up on the recommendations mentioned in paragraph 10 of resolution ES-10/3 and paragraph 4 of resolution ES-10/4, remain to be fulfilled,

1. *Reiterates its condemnation* of the failure of the Government of Israel to comply with the provisions of resolutions ES-10/2, ES-10/3 and ES-10/4;

2. *Reiterates* all the demands made in resolutions ES-10/2, ES-10/3 and ES-10/4, and stresses the necessity of the full and immediate implementation by Israel, the occupying Power, of those demands;

3. *Reiterates once again its recommendation* that the High Contracting Parties to the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949[3] convene a conference on measures to enforce the Convention in the Occupied Palestinian Territory, including Jerusalem, and to ensure its respect in accordance with common article 1;

4. *Reiterates its recommendation* to the Government of Switzerland, in its capacity as the depositary of the Geneva Convention, to undertake the necessary preparatory steps, including the convening of a meeting of experts in order to follow up on the above-mentioned recommendation;

5. *Extends* the target date for the convening of the meeting of experts of the High Contracting Parties until the end of April 1998;

6. *Reiterates* the request made in paragraph 6 of resolution ES-10/4 to the Government of Switzerland to invite the Palestine Liberation Organization to participate in the above-mentioned conference and in any preparatory steps for that conference;

7. *Reiterates its decision* that, in case of continued lack of compliance by Israel, the occupying Power, with the provisions of resolutions ES-10/2, ES-10/3 and ES-10/4, it shall reconsider the situation with a view to making further appropriate recommendations to the States Members of the United Nations in accordance with its resolution 377 A (V) of 3 November 1950;

8. *Decides* to adjourn the tenth emergency special session temporarily and to authorize the President of the most recent General Assembly to resume its meeting upon request from Member States.

RESOLUTION ES-10/6

Adopted at the 12th plenary meeting, on 9 February 1998, by a recorded vote of 115 to 2, with 5 abstentions,* on the basis of draft resolution A/ES-10/L.5/Rev.1, sponsored by: Afghanistan, Algeria, Bahrain, Bangladesh, Comoros, Cuba, Djibouti, Egypt, Indonesia, Jordan, Kuwait, Malaysia, Mauritania, Morocco, Oman, Pakistan, Qatar, Saudi Arabia, Sudan, Tunisia, United Arab Emirates, Yemen, Palestine

* *In favour:* Algeria, Andorra, Angola, Antigua and Barbuda, Argentina, Armenia, Austria, Azerbaijan, Bahrain, Bangladesh, Barbados, Belarus, Belgium, Benin, Bhutan, Bolivia, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Canada, Chile, China, Colombia, Comoros, Costa Rica, Côte d'Ivoire, Croatia, Cuba, Cyprus, Czech Republic, Democratic People's Republic of Korea, Denmark, Egypt, Eritrea, Estonia, Finland, France, Gabon, Germany, Greece, Guatemala, Guyana, Hungary, Iceland, India, Indonesia, Iran (Islamic Republic of), Ireland, Italy, Jamaica, Japan, Jordan, Kazakhstan, Kenya, Kuwait, Lao People's Democratic Republic, Latvia, Lebanon, Liechtenstein, Lithuania, Luxembourg, Malaysia, Maldives, Mali, Malta, Mexico, Monaco, Morocco, Mozambique, Myanmar, Namibia, Nepal, Netherlands, New Zealand, Nigeria, Norway, Oman, Pakistan, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Russian Federation, Saint Lucia, San Marino, Saudi Arabia, Senegal, Singapore, Slovakia, Slovenia, Solomon Islands, South Africa, Spain, Sri Lanka, Sudan, Suriname, Sweden, Syrian Arab Republic, Tajikistan, Thailand, Tunisia, Turkey, Ukraine, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, Uruguay, Venezuela, Viet Nam, Zimbabwe

Against: Israel, United States of America

Abstaining: Australia, Bahamas, Cameroon, Romania, Swaziland

ES-10/6. Illegal Israeli actions in Occupied East Jerusalem and the rest of the Occupied Palestinian Territory

The General Assembly,

Reaffirming the resolutions of its tenth emergency special session, namely, resolutions ES-10/2 of 25 April 1997, ES-10/3 of 15 July 1997, ES-10/4 of 13 November 1997 and ES-10/5 of 17 March 1998,

Determined to uphold the purposes and principles embodied in the Charter of the United Nations, international humanitarian law and all other instruments of international law, as well as relevant General Assembly and Security Council resolutions,

Reiterating the permanent responsibility of the United Nations towards the question of Palestine until it is solved in all its aspects,

Aware that Israel, the occupying Power, has not heeded the demands made in the resolutions of the tenth emergency special session and that it continues to carry out illegal actions in Occupied

East Jerusalem and the rest of the Occupied Palestinian Territory, in particular settlement activity, including the construction of the new Israeli settlement at Jebel Abu Ghneim, the building of other new settlements and the expansion of existing settlements, the construction of bypass roads and the confiscation of lands,

Reaffirming that all illegal Israeli actions in Occupied East Jerusalem and the rest of the Occupied Palestinian Territory, especially settlement activities and the practical results thereof, remain contrary to international law and cannot be recognized, irrespective of the passage of time,

Expressing its appreciation to the Government of Switzerland, in its capacity as the depositary of the four Geneva Conventions,[9] and to the International Committee of the Red Cross for their efforts to uphold the integrity of the Conventions,

Increasingly concerned about the persistent violations by Israel, the occupying Power, of the provisions of the Fourth Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949,[3]

Conscious of the serious dangers arising from persistent violations and grave breaches of the Fourth Geneva Convention and the responsibilities arising therefrom,

Aware of the upcoming fiftieth anniversary of the four Geneva Conventions, which is an occasion for renewed determination to promote international humanitarian law further and to reaffirm the undertaking by the High Contracting Parties to respect and to ensure respect for the Conventions in all circumstances in accordance with common article 1,

Taking note of the measure taken by the Government of Switzerland to organize a meeting between the Palestinian and Israeli sides, in the presence of the International Committee of the Red Cross, which was held at Geneva from 9 to 11 June 1998 and was aimed at examining ways to contribute to the effective application of the Fourth Geneva Convention in the Occupied Palestinian Territory, and expressing disappointment that Israeli violations of the Convention continued unabated in spite of such a measure,

Taking note also of the meeting of experts of the High Contracting Parties, convened from 27 to 29 October 1998 at the invitation of the Government of Switzerland, in its capacity as the depositary of the Convention, on general problems concerning the Convention, in particular in occupied territories, as well as of the Chairman's report of the proceedings of that meeting,

Gravely concerned at the suspension, on 20 December 1998, by the Government of Israel of the implementation of the Wye River Memorandum, signed at the White House in Washington, D.C., on 23 October 1998, including the negotiations on the final settlement, which should be concluded by 4 May 1999,

Determined to persist in its work to bring about compliance by Israel, the occupying Power, with the terms of resolutions adopted at the tenth emergency special session,

Aware that, under the circumstances, it should continue to consider the situation with a view to making appropriate recommendations to the States Members of the United Nations in accordance with General Assembly resolution 377 A (V) of 3 November 1950,

1. *Reiterates its condemnation* of the failure of the Government of Israel to comply with the provisions of resolutions ES-10/2, ES-10/3, ES-10/4 and ES-10/5;

2. *Expresses its grave concern* at the adoption by the Knesset of the law of 26 January 1999 and the legislation of 27 January 1999, and reaffirms that all legislative and administrative measures and actions taken by Israel, the occupying Power, which have altered or purport to alter the character, legal status and demographic composition of Occupied East Jerusalem and the rest of the Occupied Palestinian Territory, are all null and void and have no validity whatsoever;

[9] United Nations, *Treaty Series*, vol. 75, Nos. 970–973.

3. *Reiterates* in the strongest terms all the demands made of Israel, the occupying Power, in the above-mentioned resolutions of the tenth emergency special session, including the immediate and full cessation of the construction at Jebel Abu Ghneim and of all other Israeli settlement activities, as well as of all illegal measures and actions in Occupied East Jerusalem, the acceptance of the de jure applicability of the Fourth Geneva Convention[3] and compliance with relevant Security Council resolutions, the cessation and reversal of all actions taken illegally against Palestinian Jerusalemites and the provision of information about goods produced or manufactured in the settlements;

4. *Reiterates also* its previous recommendations to Member States for the cessation of all forms of assistance and support for illegal Israeli activities in the Occupied Palestinian Territory, including Jerusalem, in particular settlement activities and actively to discourage activities that directly contribute to any construction or development of those settlements;

5. *Affirms* that, in spite of the actual deterioration of the Middle East peace process as a result of the lack of compliance by the Government of Israel with the existing agreements, increased efforts must be exerted to bring the peace process back on track and to continue the process towards the achievement of a just, comprehensive and lasting peace in the region on the basis of Security Council resolutions 242 (1967) and 338 (1973) and the principle of land for peace, as well as Security Council resolution 425 (1978);

6. *Reiterates* its recommendation that the High Contracting Parties to the Fourth Geneva Convention convene a conference on measures to enforce the Convention in the Occupied Palestinian Territory, including Jerusalem, and to ensure respect thereof in accordance with common article 1, and further recommends that the High Contracting Parties convene the said conference on 15 July 1999 at the United Nations Office at Geneva;

7. *Invites* the Government of Switzerland, in its capacity as the depositary of the Geneva Convention, to undertake whatever preparations are necessary prior to the conference;

8. *Requests* the Secretary-General to make the necessary facilities available to enable the High Contracting Parties to convene the conference;

9. *Expresses its confidence* that Palestine, as a party directly concerned, will participate in the above-mentioned conference;

10. *Decides* to adjourn the tenth emergency special session temporarily and to authorize the President of the most recent General Assembly to resume its meeting upon request from Member States.

RESOLUTION ES-10/7

Adopted at the 14th plenary meeting, on 20 October 2000, by a recorded vote of 92 to 6, with 46 abstentions,* on the basis of draft resolution A/ES-10/L.6, sponsored by: Afghanistan, Algeria, Bahrain, Bangladesh, Comoros, Cuba, Djibouti, Egypt, Indonesia, Jordan, Kuwait, Malaysia, Mauritania, Morocco, Oman, Qatar, Saudi Arabia, Tunisia, United Arab Emirates, Yemen, Palestine

* *In favour*: Algeria, Andorra, Argentina, Armenia, Austria, Azerbaijan, Bahrain, Bangladesh, Belgium, Belize, Bolivia, Bosnia and Herzegovina, Botswana, Brazil, Brunei Darussalam, Burkina Faso, Cape Verde, Chile, China, Colombia, Côte d'Ivoire, Cuba, Cyprus, Democratic People's Republic of Korea, Djibouti, Ecuador, Egypt, Ethiopia, Finland, France, Gambia, Ghana, Greece, Guinea, Guyana, India, Indonesia, Iran (Islamic Republic of), Ireland, Jamaica, Jordan, Kuwait, Lao People's Democratic Republic, Lebanon, Libyan Arab Jamahiriya, Luxembourg, Madagascar, Malaysia, Maldives, Mali, Malta, Mauritius, Mexico, Monaco, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nepal, Oman, Pakistan, Paraguay, Peru, Philippines, Portugal, Qatar, Republic of Korea, Russian Federation, Saudi Arabia, Senegal, Singapore, South Africa, Spain, Sri Lanka, Sudan, Suriname, Swaziland, Syrian Arab Republic, Thailand, Togo, Tunisia, Turkey, Ukraine, United Arab Emirates, United Republic of Tanzania, Uruguay, Venezuela, Viet Nam, Yemen, Zambia, Zimbabwe

Against: Israel, Marshall Islands, Micronesia (Federated States of), Nauru, Tuvalu, United States of America

Abstaining: Albania, Antigua and Barbuda, Australia, Barbados, Benin, Bulgaria, Cameroon, Canada, Costa Rica, Croatia, Czech Republic, Denmark, Dominican Republic, El Salvador, Estonia, Fiji, Germany, Grenada, Guatemala, Haiti, Hungary, Iceland, Italy, Japan, Kazakhstan, Kenya, Kyrgyzstan, Latvia, Liechtenstein, Lithuania, Netherlands, New Zealand, Nicaragua, Norway, Poland, Romania, Saint Vincent and the Grenadines, Samoa, San Marino, Sierra Leone, Slovakia, Slovenia, Sweden, the former Yugoslav Republic of Macedonia, Tonga, United Kingdom of Great Britain and Northern Ireland

ES-10/7. Illegal Israeli actions in Occupied East Jerusalem and the rest of the Occupied Palestinian Territory

The General Assembly,

Reaffirming the resolutions of its tenth emergency special session and the necessity of full implementation of those resolutions,

Welcoming the adoption by the Security Council of resolution 1322 (2000) of 7 October 2000, and stressing the urgent need for full compliance with the resolution,

Expressing its deep concern over the provocative visit to Al-Haram Al-Sharif on 28 September 2000 and the tragic events that followed in Occupied East Jerusalem and other places in the Occupied Palestinian Territory, which resulted in a high number of deaths and injuries mostly among Palestinian civilians,

Expressing its deep concern also over the clashes between the Israeli army and the Palestinian police and the casualties on both sides,

Reaffirming that a just and lasting solution to the Arab-Israeli conflict must be based on Security Council resolutions 242 (1967) of 22 November 1967 and 338 (1973) of 22 October 1973, through an active negotiation process which takes into account the right of security for all States in the region, as well as the legitimate rights of the Palestinian people, including their right to self-determination,

Expressing its support for the Middle East peace process and the efforts to reach a final settlement between the Israeli and the Palestinian sides, and urging the two sides to cooperate in these efforts,

Reaffirming the need for the full respect by all for the Holy Places of Occupied East Jerusalem, and condemning any behaviour to the contrary,

Reaffirming also the need for the full respect by all for the Holy Places in the rest of the Occupied Palestinian Territory, as well as in Israel, and condemning any behaviour to the contrary,

Determined to uphold the purposes and principles embodied in the Charter of the United Nations, international humanitarian law and all other instruments of international law, as well as relevant resolutions of the General Assembly and Security Council,

Reiterating the permanent responsibility of the United Nations for the question of Palestine until it is solved in all its aspects,

Conscious of the serious dangers arising from persistent violations and grave breaches of the Fourth Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949,[3] and the responsibility arising therefrom,

Stressing the urgent need for providing protection for the Palestinian civilians in the Occupied Palestinian Territory,

Noting the convening, on 15 July 1999, for the first time, of the Conference of High Contracting Parties to the Fourth Geneva Convention on measures to enforce the Convention in the Occupied Palestinian Territory, including Jerusalem, at the United Nations Office at Geneva, and welcoming the statement adopted by the participating high contracting parties,

1. *Condemns* the violence that took place on 28 September 2000 and the following days at Al-Haram Al-Sharif and other Holy Places in Jerusalem as well as

other areas in the Occupied Palestinian Territory, resulting in the deaths of over 100 people, the vast majority of whom were Palestinian civilians, and many other casualties;

2. *Condemns also* acts of violence, especially the excessive use of force by the Israeli forces against Palestinian civilians;

3. *Expresses support* for the understandings reached at the summit convened at Sharm el-Sheikh, Egypt, and urges all parties concerned to implement these understandings honestly and without delay;

4. *Demands* the immediate cessation of violence and the use of force, calls upon the parties to act immediately to reverse all measures taken in this regard since 28 September 2000, and acknowledges that necessary steps have been taken by the parties in this direction since the summit of Sharm el-Sheikh;

5. *Reiterates* that Israeli settlements in the Occupied Palestinian Territory, including Jerusalem, are illegal and are an obstacle to peace, and calls for the prevention of illegal acts of violence by Israeli settlers;

6. *Demands* that Israel, the occupying Power, abide scrupulously by its legal obligations and its responsibilities under the Fourth Geneva Convention relative to the Protection of Civilian Persons in Time of War,[3] which is applicable to all territories occupied by Israel since 1967;

7. *Strongly supports* the establishment of a mechanism of inquiry into the recent tragic events, with the aim of establishing all the precise facts and preventing the repetition of these events, and in this regard strongly supports also the understanding reached at Sharm el-Sheikh about a committee of fact-finding, and calls for its establishment without delay;

8. *Supports* the efforts of the Secretary-General, including his efforts for the establishment of the above-mentioned committee, and requests him to report to the General Assembly on the progress made in these efforts;

9. *Calls upon* the members of the Security Council to follow the situation closely, including the implementation of Council resolution 1322 (2000), in fulfilment of the Council's primary responsibility for the maintenance of international peace and security;

10. *Invites* the depositary of the Fourth Geneva Convention to consult on the development of the humanitarian situation in the field, in accordance with the statement adopted on 15 July 1999 by the above-mentioned Conference of High Contracting Parties to the Convention, with the aim of ensuring respect for the Convention in all circumstances in accordance with common article 1 of the four Conventions;

11. *Supports* the efforts towards the resumption of the Israeli-Palestinian negotiations within the Middle East peace process on its agreed basis, and calls for the speedy conclusion of the final settlement agreement between the two sides;

12. *Decides* to adjourn the tenth emergency special session temporarily and to authorize the President of the General Assembly at its most recent session to resume its meeting upon request from Member States.

RESOLUTION ES-10/8

Adopted at the 15th plenary meeting, on 20 December 2001, by a recorded vote of 124 to 6, with 25 abstentions,* on the basis of draft resolution A/ES-10/L.7, sponsored by: Afghanistan, Algeria, Bahrain, Bangladesh, Cuba, Egypt, Indonesia, Jordan, Kuwait, Malaysia, Mauritania, Morocco, Oman, Qatar, Saudi Arabia, Senegal, South Africa, Sudan, Tunisia, United Arab Emirates, Yemen, Palestine

* *In favour*: Afghanistan, Algeria, Andorra, Antigua and Barbuda, Argentina, Armenia, Austria, Azerbaijan, Bahrain, Bangladesh, Belarus, Belgium, Belize, Benin, Bhutan, Bolivia, Brazil, Brunei Darussalam, Burkina Faso, Burundi, Cambodia, Cape Verde, Chile, China, Colombia, Congo, Costa Rica, Côte d'Ivoire, Cuba, Cyprus, Czech Republic, Democratic People's Republic of Korea, Denmark, Djibouti, Ecuador, Egypt, El Salvador, Equatorial Guinea, Eritrea, Ethiopia, Finland, France, Gabon, Germany, Ghana, Greece, Grenada, Guatemala, Guinea, Guyana, Haiti, Honduras, Hungary, India,

Indonesia, Iran (Islamic Republic of), Ireland, Italy, Jamaica, Jordan, Kenya, Kuwait, Lao People's Democratic Republic, Lebanon, Libyan Arab Jamahiriya, Liechtenstein, Luxembourg, Madagascar, Malaysia, Maldives, Mali, Malta, Mauritania, Mauritius, Mexico, Monaco, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nepal, Netherlands, New Zealand, Nigeria, Oman, Pakistan, Panama, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Russian Federation, Saint Lucia, San Marino, Saudi Arabia, Senegal, Sierra Leone, Singapore, Slovakia, South Africa, Spain, Sri Lanka, Sudan, Swaziland, Sweden, Syrian Arab Republic, Thailand, Togo, Tunisia, Turkey, Uganda, Ukraine, United Arab Emirates, United Republic of Tanzania, Uruguay, Venezuela, Viet Nam, Yemen, Yugoslavia,[10] Zambia, Zimbabwe

Against: Israel, Marshall Islands, Micronesia (Federated States of), Nauru, Tuvalu, United States of America

Abstaining: Albania, Australia, Bosnia and Herzegovina, Bulgaria, Cameroon, Canada, Croatia, Dominican Republic, Estonia, Georgia, Iceland, Japan, Latvia, Lithuania, Nicaragua, Norway, Papua New Guinea, Paraguay, Romania, Samoa, Slovenia, Solomon Islands, Tonga, United Kingdom of Great Britain and Northern Ireland, Vanuatu

ES-10/8. Illegal Israeli actions in Occupied East Jerusalem and the rest of the Occupied Palestinian Territory

The General Assembly,

Recalling its relevant resolutions,

Recalling also relevant Security Council resolutions, including resolution 1322 (2000) of 7 October 2000,

Emphasizing the need for a just, lasting and comprehensive peace in the Middle East based on Security Council resolutions 242 (1967) of 22 November 1967 and 338 (1973) of 22 October 1973 and the principle of land for peace,

Emphasizing also in that regard the essential role of the Palestinian Authority, which remains the indispensable and legitimate party for peace and needs to be preserved fully,

Expressing its grave concern at the continuation of the tragic and violent events that have taken place since September 2000,

Expressing also its grave concern at the recent dangerous deterioration of the situation and its possible impact on the region,

Emphasizing further the importance of the safety and well-being of all civilians in the whole Middle East region, and condemning in particular all acts of violence and terror resulting in the deaths and injuries among Palestinian and Israeli civilians,

Expressing its determination to contribute to ending the violence and to promoting dialogue between the Israeli and Palestinian sides,

Reiterating the need for the two sides to comply with their obligations under the existing agreements,

Also reiterating the need for Israel, the occupying Power, to abide scrupulously by its legal obligations and responsibilities under the Fourth Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949,[3]

1. *Demands* the immediate cessation of all acts of violence, provocation and destruction, as well as the return to the positions and arrangements that existed prior to September 2000;

2. *Condemns* all acts of terror, in particular those targeting civilians;

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[10] Effective 4 February 2003, Yugoslavia, known formally as the Federal Republic of Yugoslavia (Serbia and Montenegro), became known as Serbia and Montenegro. Subsequently, on 3 June 2006, the State union of Serbia and Montenegro ceased to exist and its membership in the United Nations was continued by the Republic of Serbia. On 28 June 2006, the Republic of Montenegro was admitted to membership in the United Nations.

3. *Also condemns* all acts of extrajudiciary executions, excessive use of force and wide destruction of properties;

4. *Calls upon* the two sides to start the comprehensive and immediate implementation of the recommendations made in the report of the Sharm el-Sheikh Fact-Finding Committee (Mitchell report) in a speedy manner;

5. *Encourages* all concerned to establish a monitoring mechanism to help the parties to implement the recommendations of the report of the Fact-Finding Committee and to help to create a better situation in the Occupied Palestinian Territory;

6. *Calls for* the resumption of negotiations between the two sides within the Middle East peace process on its agreed basis, taking into consideration developments in previous discussions between the two sides, and urges them to reach a final agreement on all issues, on the basis of their previous agreements, with the objective of implementing Security Council resolutions 242 (1967) and 338 (1973);

7. *Decides* to remain seized of the matter.

RESOLUTION ES-10/9

Adopted at the 15th plenary meeting, on 20 December 2001, by a recorded vote of 133 to 4, with 16 abstentions,* on the basis of draft resolution A/ES-10/L.8, sponsored by: Afghanistan, Algeria, Bahrain, Bangladesh, Cuba, Egypt, Indonesia, Jordan, Kuwait, Malaysia, Mauritania, Morocco, Oman, Qatar, Saudi Arabia, Senegal, South Africa, Sudan, Tunisia, United Arab Emirates, Yemen, Palestine

* *In favour*: Afghanistan, Albania, Algeria, Andorra, Antigua and Barbuda, Argentina, Armenia, Austria, Azerbaijan, Bahrain, Bangladesh, Belarus, Belgium, Belize, Benin, Bhutan, Bolivia, Bosnia and Herzegovina, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Burundi, Cambodia, Cape Verde, Chile, China, Colombia, Congo, Côte d'Ivoire, Croatia, Cuba, Cyprus, Czech Republic, Democratic People's Republic of Korea, Denmark, Djibouti, Ecuador, Egypt, Equatorial Guinea, Eritrea, Estonia, Ethiopia, Finland, France, Gabon, Germany, Ghana, Greece, Grenada, Guinea, Guyana, Haiti, Hungary, Iceland, India, Indonesia, Iran (Islamic Republic of), Ireland, Italy, Jamaica, Japan, Jordan, Kenya, Kuwait, Lao People's Democratic Republic, Latvia, Lebanon, Libyan Arab Jamahiriya, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malaysia, Maldives, Mali, Malta, Mauritania, Mauritius, Mexico, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nepal, Netherlands, New Zealand, Nigeria, Norway, Oman, Pakistan, Panama, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Romania, Russian Federation, Saint Lucia, San Marino, Saudi Arabia, Senegal, Sierra Leone, Singapore, Slovakia, Slovenia, South Africa, Spain, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Syrian Arab Republic, Thailand, Togo, Tunisia, Turkey, Uganda, Ukraine, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, Uruguay, Venezuela, Viet Nam, Yemen, Yugoslavia, Zambia, Zimbabwe

Against: Israel, Marshall Islands, Micronesia (Federated States of), United States of America

Abstaining: Australia, Cameroon, Canada, Costa Rica, Dominican Republic, Georgia, Guatemala, Nauru, Nicaragua, Papua New Guinea, Paraguay, Samoa, Solomon Islands, Tonga, Tuvalu, Vanuatu

ES-10/9. Illegal Israeli actions in Occupied East Jerusalem and the rest of the Occupied Palestinian Territory

The General Assembly,

Recalling its relevant resolutions, including resolutions of the tenth emergency special session on the situation in Occupied East Jerusalem and the rest of the Occupied Palestinian Territory,

Recalling also relevant Security Council resolutions, including resolutions 237 (1967) of 14 June 1967, 242 (1967) of 22 November 1967, 259 (1968) of 27 September 1968, 271 (1969) of 15 September 1969, 338 (1973) of 22 October 1973, 446 (1979) of 22 March 1979, 452 (1979) of 20 July 1979, 465 (1980) of 1 March 1980, 468 (1980) of 8 May 1980, 469 (1980) of 20 May 1980, 471 (1980) of 5 June 1980, 476 (1980) of 30 June 1980, 478 (1980) of 20 August 1980, 484 (1980) of 19 December 1980, 592 (1986) of 8 December 1986, 605 (1987) of 22 December 1987, 607 (1988) of 5 January 1988, 608 (1988) of 14 January 1988, 636 (1989) of 6 July 1989,

641 (1989) of 30 August 1989, 672 (1990) of 12 October 1990, 673 (1990) of 24 October 1990, 681 (1990) of 20 December 1990, 694 (1991) of 24 May 1991, 726 (1992) of 6 January 1992, 799 (1992) of 18 December 1992, 904 (1994) of 18 March 1994 and 1322 (2000) of 7 October 2000,

Taking note with appreciation of the convening of the Conference of High Contracting Parties to the Fourth Geneva Convention, on 15 July 1999, as recommended by the General Assembly in its resolution ES-10/6 of 9 February 1999, and the statement adopted by the Conference,

Taking note with appreciation also of the reconvening of the above-mentioned Conference, on 5 December 2001, and the important declaration adopted by the Conference,

Recalling relevant provisions of the Rome Statute of the International Criminal Court,[11]

Reaffirming the position of the international community on Israeli settlements in the Occupied Palestinian Territory, including East Jerusalem, as illegal and as an obstacle to peace,

Expressing its concern at Israeli actions taken recently against the Orient House and other Palestinian institutions in Occupied East Jerusalem as well as other illegal Israeli actions aimed at altering the status of the city and its demographic composition,

Reiterating the applicability of the Fourth Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949[3] to the Occupied Palestinian Territory, including East Jerusalem,

Stressing that the Fourth Geneva Convention, which takes fully into account imperative military necessity, has to be respected in all circumstances,

Bearing in mind the relevant provisions of the Charter of the United Nations, including Article 96 thereof,

1. *Expresses its full support* for the declaration adopted by the Conference of High Contracting Parties to the Fourth Geneva Convention, convened on 5 December 2001 at Geneva;

2. *Calls upon* all members and observers of the United Nations as well as the Organization and its agencies to observe the above-mentioned declaration;

3. *Decides* to adjourn the tenth emergency special session temporarily and to authorize the President of the General Assembly at its most recent session to resume its meeting upon request from Member States.

RESOLUTION ES-10/10

Adopted at the 17th plenary meeting, on 7 May 2002, by a recorded vote of 74 to 4, with 54 abstentions,* on the basis of draft resolution A/ES-10/L.9/Rev.1, sponsored by: Afghanistan, Algeria, Bahrain, Brunei Darussalam, Burkina Faso, Comoros, Cuba, Djibouti, Egypt, Indonesia, Jordan, Kuwait, Malaysia, Mauritania, Morocco, Namibia, Oman, Pakistan, Qatar, Saudi Arabia, Senegal, South Africa, Sudan, Tunisia, United Arab Emirates, Yemen, Palestine

* *In favour:* Algeria, Antigua and Barbuda, Argentina, Armenia, Azerbaijan, Bahrain, Bangladesh, Belarus, Belize, Bolivia, Brazil, Brunei Darussalam, Burkina Faso, Cambodia, Cape Verde, Chile, China, Colombia, Côte d'Ivoire, Cuba, Cyprus, Democratic People's Republic of Korea, Djibouti, Ecuador, Egypt, Eritrea, Gabon, Gambia, Guinea, Guyana, Haiti, India, Indonesia, Iran (Islamic Republic of), Jamaica, Jordan, Kuwait, Lebanon, Libyan Arab Jamahiriya, Malaysia, Maldives, Mali, Malta, Mauritius, Mexico, Morocco, Myanmar, Namibia, Nepal, Nigeria, Oman, Pakistan, Panama, Philippines, Qatar, Russian Federation, Saint Lucia, Saudi Arabia, Senegal, Sierra Leone, Singapore, South Africa, Sri Lanka, Sudan, Syrian Arab Republic, Thailand, Togo, Trinidad and Tobago, Tunisia, Turkey, United Arab Emirates, Uruguay, Venezuela, Yemen

[11] United Nations, *Treaty Series*, vol. 2187, No. 38544.

Against: Israel, Marshall Islands, Micronesia (Federated States of), United States of America

Abstaining: Andorra, Australia, Austria, Belgium, Bosnia and Herzegovina, Bulgaria, Cameroon, Canada, Croatia, Czech Republic, Denmark, Dominican Republic, Estonia, Finland, France, Georgia, Germany, Greece, Guatemala, Hungary, Iceland, Ireland, Italy, Japan, Latvia, Liechtenstein, Lithuania, Luxembourg, Monaco, Nauru, Netherlands, New Zealand, Nicaragua, Norway, Paraguay, Peru, Poland, Portugal, Republic of Korea, Republic of Moldova, Romania, Rwanda, Samoa, San Marino, Slovakia, Slovenia, Spain, Sweden, the former Yugoslav Republic of Macedonia, Tonga, Tuvalu, Ukraine, United Kingdom of Great Britain and Northern Ireland, Yugoslavia

ES-10/10. Illegal Israeli actions in Occupied East Jerusalem and the rest of the Occupied Palestinian Territory

The General Assembly,

Recalling its resolutions, including the resolutions of the tenth emergency special session on illegal Israeli actions in Occupied East Jerusalem and the rest of the Occupied Palestinian Territory,

Expressing its grave concern at the continuation of the tragic and violent events that have taken place since September 2000, especially the recent attacks and the increased number of casualties,

Expressing its profound concern at the grave situation in the Occupied Palestinian Territory, including Jerusalem, particularly since the start of the Israeli military attack on Palestinian cities and the Palestinian Authority on 29 March 2002,

Gravely concerned at the extensive loss of life and injuries suffered by the Palestinian people, as well as the destruction of both public and private property, including homes and institutions of the Palestinian Authority,

Gravely concerned in particular at the reports of grave breaches of international humanitarian law committed in the Jenin refugee camp and other Palestinian cities by the Israeli occupying forces,

Expressing its profound concern at the dire humanitarian situation of the Palestinian civilian population, including the lack of access to food, water and medicines, owing to the Israeli siege and the attacks on Palestinian cities,

Deploring the destruction of holy sites in the Occupied Palestinian Territory, including mosques and churches, and expressing its expectation that the Israeli military siege on the Church of the Nativity in Bethlehem will end immediately,

Noting that Security Council resolutions 1402 (2002) of 30 March 2002 and 1403 (2002) of 4 April 2002 have not yet been fully implemented,

Noting also that Israel, the occupying Power, has refused to cooperate with the Secretary-General's fact-finding team to the Jenin refugee camp, in disregard of Security Council resolution 1405 (2002) of 19 April 2002, noting as well the decision of the Secretary-General to disband the team, and welcoming his efforts to develop accurate information regarding the recent events,

Taking note that the Security Council is yet to take the necessary measures in response to the Israeli refusal to cooperate with the fact-finding team and the ensuing developments,

Reaffirming the applicability of the Fourth Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949[3] to the Occupied Palestinian Territory, including Occupied East Jerusalem,

Reiterating the obligation of Israel, the occupying Power, to abide scrupulously by its legal obligations and responsibilities under the Fourth Geneva Convention,

Deploring Israel's disregard for relevant Security Council resolutions, and stressing the need for full accountability in this regard,

Welcoming and encouraging the diplomatic efforts of special envoys from the United States of America, the Russian Federation, the European Union and the United Nations, as well as others, to bring about a comprehensive, just and lasting peace in the Middle East,

1. *Condemns* the attacks committed by the Israeli occupying forces against the Palestinian people in several Palestinian cities, particularly in the Jenin refugee camp;

2. *Also condemns* the refusal by Israel, the occupying Power, to cooperate with the Secretary-General's fact-finding team to the Jenin refugee camp, in disregard of Security Council resolution 1405 (2002);

3. *Emphasizes* the importance of the safety and well-being of all civilians in the whole Middle East region, and condemns in particular all acts of violence and terror resulting in deaths and injuries among Palestinian and Israeli civilians;

4. *Demands* the immediate and full implementation of Security Council resolution 1402 (2002);

5. *Calls for* the implementation of the declaration adopted by the Conference of High Contracting Parties to the Fourth Geneva Convention, reconvened in Geneva on 5 December 2001, through concrete action on the national, regional and international levels to ensure respect by Israel, the occupying Power, of the provisions of the Convention;

6. *Requests* the Secretary-General to present a report, drawing upon the available resources and information, on the recent events that took place in Jenin and in other Palestinian cities;

7. *Demands* that Israel, the occupying Power, cease all hindrances and obstacles to the work of humanitarian organizations and the United Nations agencies in the Occupied Palestinian Territory, in particular the International Committee of the Red Cross and the United Nations Relief and Works Agency for Palestine Refugees in the Near East, including by lifting the restrictions on the freedom of movement and ensuring a free and safe access of staff and vehicles;

8. *Calls for* the provision of urgently needed assistance and services to help in alleviating the current humanitarian situation and the reconstruction efforts, including the rebuilding of the institutions of the Palestinian Authority;

9. *Calls upon* all concerned parties to redouble their efforts to assist the parties to end the current crisis and bring them back to negotiations towards the achievement of a final settlement on all issues, including the establishment of the State of Palestine;

10. *Decides* to adjourn the tenth emergency special session temporarily and to authorize the President of the General Assembly at its most recent session to resume its meetings upon request from Member States.

RESOLUTION ES-10/11

Adopted at the 19th plenary meeting, on 5 August 2002, by a recorded vote of 114 to 4, with 11 abstentions,* on the basis of draft resolution A/ES-10/L.11, sponsored by South Africa

* *In favour*: Algeria, Andorra, Argentina, Armenia, Austria, Azerbaijan, Bahrain, Bangladesh, Belarus, Belgium, Belize, Benin, Bolivia, Bosnia and Herzegovina, Botswana, Brazil, Brunei Darussalam, Burkina Faso, Cambodia, Cameroon, Cape Verde, Chile, China, Colombia, Croatia, Cuba, Cyprus, Czech Republic, Democratic People's Republic of Korea, Denmark, Djibouti, Ecuador, Egypt, Estonia, Ethiopia, Finland, France, Gabon, Gambia, Germany, Ghana, Greece, Guatemala, Guinea, Guyana, Hungary, Iceland, India, Indonesia, Iran (Islamic Republic of), Ireland, Italy, Jamaica, Japan, Jordan, Kenya, Kuwait, Lao People's Democratic Republic, Latvia, Lebanon, Libyan Arab Jamahiriya, Liechtenstein, Lithuania, Luxembourg, Malaysia, Maldives, Malta, Mauritius, Mexico, Monaco, Morocco, Myanmar, Namibia, Nepal, Netherlands, New Zealand, Norway, Oman, Pakistan, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Russian Federation, San Marino, Saudi Arabia, Senegal, Sierra Leone, Singapore, Slovakia, Slovenia, South Africa, Spain, Sri Lanka, Sudan, Sweden, Syrian Arab Republic, Thailand, the former Yugoslav Republic of Macedonia, Togo, Tunisia, Turkey, Ukraine, United

Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, Uruguay, Venezuela, Viet Nam, Yemen, Yugoslavia

Against: Israel, Marshall Islands, Micronesia (Federated States of), United States of America

Abstaining: Australia, Bulgaria, Canada, Honduras, Nauru, Nicaragua, Nigeria, Romania, Samoa, Solomon Islands, Tonga

ES-10/11. Illegal Israeli actions in Occupied East Jerusalem and the rest of the Occupied Palestinian Territory

The General Assembly,

Recalling its relevant resolutions, including the resolutions of the tenth emergency special session on the situation in Occupied East Jerusalem and the rest of the Occupied Palestinian Territory,

Having received with interest the report of the Secretary-General prepared pursuant to General Assembly resolution ES-10/10 on the recent events that took place in Jenin and in other Palestinian cities in the period from the beginning of March to 7 May 2002,[12]

Strongly deploring the lack of Israeli cooperation in implementing Security Council resolution 1405 (2002) of 19 April 2002, and in the preparation of the report,

Noting that a full and complete account of the events that took place in Jenin and in other Palestinian cities could not be obtained,

Reiterating the obligation of Israel, the occupying Power, fully and effectively to respect the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949,[3] in the Occupied Palestinian Territory, including Jerusalem, and noting that the Convention, which takes fully into account imperative military necessity, has to be respected in all circumstances,

Gravely concerned at the tragic and violent events that have taken place since September 2000 and at the continued violence in the Occupied Palestinian Territory, including Jerusalem, as well as in Israel,

Gravely concerned also at the reoccupation of Palestinian cities, the continuation of severe restrictions on the movement of persons and goods, the severe deterioration of the economic situation and the living conditions, together with the dire humanitarian crisis facing the Palestinian people,

Stressing the need to end the Israeli occupation,

Emphasizing the importance of the safety and well-being of all civilians in the whole Middle East region, and condemning all attacks against civilians on both sides,

1. *Takes note* of the report of the Secretary-General;[12]

2. *Demands* the immediate cessation of military incursions and all acts of violence, terror, provocation, incitement and destruction;

3. *Also demands* the immediate withdrawal of the Israeli occupying forces from Palestinian population centres towards a return to the positions held prior to September 2000;

4. *Stresses* the need for all concerned parties to ensure the safety of civilians, and to respect the universally accepted norms of international humanitarian law;

5. *Emphasizes* the urgency of ensuring that medical and humanitarian organizations are granted unhindered access to the Palestinian civilian population at all times;

[12] A/ES-10/186.

6. *Stresses* the need for the High Contracting Parties to follow up on the implementation of the declaration adopted on 5 December 2001 by the Conference of High Contracting Parties to the Fourth Geneva Convention;

7. *Calls for* the urgently needed assistance and services to help in alleviating the current dire humanitarian situation facing the Palestinian people and to assist in rebuilding and revitalizing the Palestinian economy, and expresses support for efforts in the reconstruction of the Palestinian Authority, the reform of Palestinian institutions and the holding of democratic and free elections;

8. *Decides* to adjourn the tenth emergency special session temporarily and to authorize the President of the General Assembly at its most recent session to resume its meetings upon request from Member States.

RESOLUTION ES-10/12

Adopted at the 20th plenary meeting, on 19 September 2003, by a recorded vote of 133 to 4, with 15 abstentions,* on the basis of draft resolution A/ES-10/L.12 and Add.1, as orally amended, sponsored by: Afghanistan, Algeria, Bahrain, Bangladesh, Brunei Darussalam, Cuba, Djibouti, Egypt, Indonesia, Jordan, Kuwait, Libyan Arab Jamahiriya, Malaysia, Mauritania, Morocco, Namibia, Oman, Pakistan, Qatar, Saudi Arabia, Senegal, Somalia, South Africa, Sudan, Tunisia, United Arab Emirates, Yemen, Palestine

* *In favour:* Albania, Algeria, Andorra, Angola, Antigua and Barbuda, Argentina, Armenia, Austria, Azerbaijan, Bahrain, Bangladesh, Barbados, Belarus, Belgium, Belize, Benin, Bolivia, Bosnia and Herzegovina, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Cambodia, Cape Verde, Chad, Chile, China, Congo, Côte d'Ivoire, Croatia, Cuba, Cyprus, Czech Republic, Democratic People's Republic of Korea, Denmark, Djibouti, Dominica, Ecuador, Egypt, Estonia, Ethiopia, Finland, France, Gambia, Germany, Greece, Grenada, Guinea, Guyana, Haiti, Hungary, Iceland, India, Indonesia, Iran (Islamic Republic of), Ireland, Italy, Jamaica, Japan, Jordan, Kazakhstan, Kuwait, Lao People's Democratic Republic, Latvia, Lebanon, Lesotho, Libyan Arab Jamahiriya, Liechtenstein, Lithuania, Luxembourg, Malaysia, Maldives, Mali, Malta, Mauritania, Mauritius, Mexico, Monaco, Morocco, Mozambique, Myanmar, Namibia, Nepal, Netherlands, New Zealand, Nigeria, Norway, Oman, Pakistan, Panama, Philippines, Poland, Portugal, Qatar, Republic of Korea, Romania, Russian Federation, Saint Lucia, Saint Vincent and the Grenadines, Samoa, San Marino, Saudi Arabia, Senegal, Serbia and Montenegro,[10] Sierra Leone, Singapore, Slovakia, Slovenia, South Africa, Spain, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Switzerland, Syrian Arab Republic, Thailand, the former Yugoslav Republic of Macedonia, Togo, Trinidad and Tobago, Tunisia, Turkey, Uganda, Ukraine, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, Uruguay, Venezuela, Viet Nam, Yemen

Against: Israel, Marshall Islands, Micronesia (Federated States of), United States of America

Abstaining: Australia, Cameroon, Canada, Colombia, Fiji, Guatemala, Honduras, Kenya, Nauru, Nicaragua, Papua New Guinea, Paraguay, Peru, Tonga, Tuvalu

ES-10/12. Illegal Israeli actions in Occupied East Jerusalem and the rest of the Occupied Palestinian Territory

The General Assembly,

Recalling the previous resolutions adopted at its tenth emergency special session,

Recalling also Security Council resolutions 242 (1967) of 22 November 1967, 338 (1973) of 22 October 1973, 1397 (2002) of 12 March 2002, 1402 (2002) of 30 March 2002, 1403 (2002) of 4 April 2002, 1405 (2002) of 19 April 2002 and 1435 (2002) of 24 September 2002,

Reiterating its grave concern at the tragic and violent events that have taken place since September 2000 which have caused enormous suffering and many innocent victims throughout the Occupied Palestinian Territory, including East Jerusalem, and in Israel,

Condemning the suicide bombings and their recent intensification, and recalling in that regard that in the framework of the road map,[13] the Palestinian Authority has to take all necessary measures to end violence and terror,

Deploring the extrajudicial killings and their recent escalation, and underlining that they are a violation of international law and international humanitarian law and compromise the efforts to relaunch the peace process and must be stopped,

Reaffirming the illegality of the deportation of any Palestinian by Israel, the occupying Power, and affirming its opposition to any such deportation,

Reiterating the need for respect, in all circumstances, of international humanitarian law, including the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949,[3]

1. *Reiterates its demand* for the complete cessation of all acts of violence, including all acts of terrorism, provocation, incitement and destruction;

2. *Demands* that Israel, the occupying Power, desist from any act of deportation and cease any threat to the safety of the elected President of the Palestinian Authority;

3. *Expresses its full support* for the efforts of the Quartet, and demands that the two sides fully implement their obligations in accordance with the road map,[13] and emphasizes in this context the importance of the forthcoming meeting of the Quartet in New York;

4. *Decides* to adjourn the tenth emergency special session temporarily and to authorize the current President of the General Assembly to resume its meeting upon request from Member States.

RESOLUTION ES-10/13

Adopted at the 22nd plenary meeting, on 21 October 2003, by a recorded vote of 144 to 4, with 12 abstentions,* on the basis of draft resolution A/ES-10/L.15, sponsored by: Austria, Belgium, Bulgaria, Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Iceland, Ireland, Italy, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, Netherlands, Poland, Portugal, Romania, Slovakia, Slovenia, Spain, Sweden, Turkey, United Kingdom of Great Britain and Northern Ireland

* *In favour:* Albania, Algeria, Andorra, Angola, Antigua and Barbuda, Argentina, Armenia, Austria, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belgium, Belize, Benin, Bosnia and Herzegovina, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Cambodia, Cameroon, Canada, Cape Verde, Chile, China, Colombia, Comoros, Costa Rica, Côte d'Ivoire, Croatia, Cuba, Cyprus, Czech Republic, Democratic People's Republic of Korea, Denmark, Djibouti, Dominica, Egypt, Eritrea, Estonia, Ethiopia, Finland, France, Gabon, Gambia, Germany, Ghana, Greece, Grenada, Guatemala, Guinea, Guinea-Bissau, Guyana, Hungary, Iceland, India, Indonesia, Iran (Islamic Republic of), Ireland, Italy, Jamaica, Japan, Jordan, Kazakhstan, Kenya, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Latvia, Lebanon, Lesotho, Libyan Arab Jamahiriya, Liechtenstein, Lithuania, Luxembourg, Malaysia, Maldives, Mali, Malta, Mauritania, Mauritius, Mexico, Monaco, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nepal, Netherlands, New Zealand, Niger, Nigeria, Norway, Oman, Pakistan, Panama, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Romania, Russian Federation, Saint Lucia, San Marino, Saudi Arabia, Senegal, Serbia and Montenegro, Sierra Leone, Singapore, Slovakia, Slovenia, Somalia, South Africa, Spain, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Switzerland, Syrian Arab Republic, Thailand, the former Yugoslav Republic of Macedonia, Togo, Trinidad and Tobago, Tunisia, Turkey, Ukraine, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, Venezuela, Viet Nam, Yemen, Zambia, Zimbabwe

Against: Israel, Marshall Islands, Micronesia (Federated States of), United States of America

Abstaining: Australia, Burundi, Dominican Republic, Ecuador, Honduras, Malawi, Nauru, Nicaragua, Papua New Guinea, Rwanda, Tuvalu, Uruguay

[13] S/2003/529, annex.

ES-10/13. Illegal Israeli actions in Occupied East Jerusalem and the rest of the Occupied Palestinian Territory

The General Assembly,

Recalling its relevant resolutions, including resolutions of the tenth emergency special session,

Recalling also Security Council resolutions 242 (1967) of 22 November 1967, 267 (1969) of 3 July 1969, 298 (1971) of 25 September 1971, 446 (1979) of 22 March 1979, 452 (1979) of 20 July 1979, 465 (1980) of 1 March 1980, 476 (1980) of 30 June 1980, 478 (1980) of 20 August 1980, 904 (1994) of 18 March 1994, 1073 (1996) of 28 September 1996 and 1397 (2002) of 12 March 2002,

Reaffirming the principle of the inadmissibility of the acquisition of territory by force,

Reaffirming also its vision of a region where two States, Israel and Palestine, live side by side within secure and recognized borders,

Condemning all acts of violence, terrorism and destruction,

Condemning in particular the suicide bombings and their recent intensification with the attack in Haifa,

Condemning the bomb attack in the Gaza Strip, which resulted in the death of three American security officers,

Deploring the extrajudicial killings and their recent intensification, in particular the attack on 20 October 2003 in Gaza,

Stressing the urgency of ending the current violent situation on the ground, the need to end the occupation that began in 1967, and the need to achieve peace based on the vision of two States mentioned above,

Particularly concerned that the route marked out for the wall under construction by Israel, the occupying Power, in the Occupied Palestinian Territory, including in and around East Jerusalem, could prejudge future negotiations and make the two-State solution physically impossible to implement and would cause further humanitarian hardship to the Palestinians,

Reiterating its call upon Israel, the occupying Power, to fully and effectively respect the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949,[3]

Reiterating its opposition to settlement activities in the Occupied Territories and to any activities involving the confiscation of land, disruption of the livelihood of protected persons and the de facto annexation of land,

1. *Demands* that Israel stop and reverse the construction of the wall in the Occupied Palestinian Territory, including in and around East Jerusalem, which is in departure from the Armistice Line of 1949 and is in contradiction to relevant provisions of international law;

2. *Calls upon* both parties to fulfil their obligations under relevant provisions of the road map,[13] the Palestinian Authority to undertake visible efforts on the ground to arrest, disrupt and restrain individuals and groups conducting and planning violent attacks, and the Government of Israel to take no actions undermining trust, including deportations and attacks on civilians and extrajudicial killings;

3. *Requests* the Secretary-General to report on compliance with the present resolution periodically, with the first report on compliance with paragraph 1 above to be submitted within one month and upon receipt of which further actions should be considered, if necessary, within the United Nations system;

4. *Decides* to adjourn the tenth emergency special session temporarily and to authorize the current President of the General Assembly to resume its meeting upon request from Member States.

RESOLUTION ES-10/14

Adopted at the 23rd plenary meeting, on 8 December 2003, by a recorded vote of 90 to 8, with 74 abstentions,* on the basis of draft resolution A/ES-10/L.16, sponsored by: Algeria, Bahrain, Bangladesh, Brunei Darussalam, Comoros, Cuba, Djibouti, Egypt, Indonesia, Jordan, Kuwait, Lebanon, Malaysia, Mauritania, Morocco, Namibia, Oman, Qatar, Saudi Arabia, Senegal, Somalia, South Africa, Sudan, Tunisia, United Arab Emirates, Yemen, Palestine

* *In favour:* Algeria, Antigua and Barbuda, Argentina, Armenia, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belize, Benin, Bhutan, Botswana, Brazil, Brunei Darussalam, Burkina Faso, Cambodia, Cape Verde, Central African Republic, Chad, China, Comoros, Côte d'Ivoire, Cuba, Democratic People's Republic of Korea, Djibouti, Egypt, Gambia, Ghana, Grenada, Guinea, Guinea-Bissau, Guyana, Haiti, India, Indonesia, Iran (Islamic Republic of), Jamaica, Jordan, Kazakhstan, Kenya, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Lebanon, Lesotho, Libyan Arab Jamahiriya, Malaysia, Maldives, Mali, Mauritania, Mauritius, Mexico, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nepal, Niger, Nigeria, Oman, Pakistan, Panama, Qatar, Saint Lucia, Saint Vincent and the Grenadines, Saudi Arabia, Senegal, Sierra Leone, Somalia, South Africa, Sri Lanka, Sudan, Suriname, Swaziland, Syrian Arab Republic, Timor-Leste, Togo, Trinidad and Tobago, Tunisia, Turkey, Turkmenistan, United Arab Emirates, United Republic of Tanzania, Viet Nam, Yemen, Zambia, Zimbabwe

Against: Australia, Ethiopia, Israel, Marshall Islands, Micronesia (Federated States of), Nauru, Palau, United States of America

Abstaining: Albania, Andorra, Austria, Belgium, Bolivia, Bosnia and Herzegovina, Bulgaria, Burundi, Cameroon, Canada, Chile, Colombia, Costa Rica, Croatia, Cyprus, Czech Republic, Denmark, Dominican Republic, Ecuador, Estonia, Fiji, Finland, France, Georgia, Germany, Greece, Guatemala, Honduras, Hungary, Iceland, Ireland, Italy, Japan, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, Monaco, Netherlands, New Zealand, Nicaragua, Norway, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Portugal, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Samoa, San Marino, Serbia and Montenegro, Singapore, Slovakia, Slovenia, Solomon Islands, Spain, Sweden, Switzerland, Tajikistan, Thailand, the former Yugoslav Republic of Macedonia, Tonga, Uganda, Ukraine, United Kingdom of Great Britain and Northern Ireland, Uruguay, Uzbekistan, Vanuatu, Venezuela

ES-10/14. Illegal Israeli actions in Occupied East Jerusalem and the rest of the Occupied Palestinian Territory

The General Assembly,

Reaffirming its resolution ES-10/13 of 21 October 2003,

Guided by the principles of the Charter of the United Nations,

Aware of the established principle of international law on the inadmissibility of the acquisition of territory by force,

Aware also that developing friendly relations among nations based on respect for the principle of equal rights and self-determination of peoples is among the purposes and principles of the Charter of the United Nations,

Recalling relevant General Assembly resolutions, including resolution 181 (II) of 29 November 1947, which partitioned mandated Palestine into two States, one Arab and one Jewish,

Recalling also the resolutions of the tenth emergency special session of the General Assembly,

Recalling further relevant Security Council resolutions, including resolutions 242 (1967) of 22 November 1967, 338 (1973) of 22 October 1973, 267 (1969) of 3 July 1969, 298 (1971) of 25 September 1971, 446 (1979) of 22 March 1979, 452 (1979) of 20 July 1979, 465 (1980) of 1 March 1980, 476 (1980) of 30 June 1980, 478 (1980) of 20 August 1980, 904 (1994) of 18 March 1994, 1073 (1996) of 28 September 1996, 1397 (2002) of 12 March 2002 and 1515 (2003) of 19 November 2003,

Reaffirming the applicability of the Fourth Geneva Convention[3] as well as Additional Protocol I to the Geneva Conventions[14] to the Occupied Palestinian Territory, including East Jerusalem,

Recalling the Regulations annexed to the Hague Convention respecting the Laws and Customs of War on Land of 1907,[4]

Welcoming the convening of the Conference of High Contracting Parties to the Fourth Geneva Convention on measures to enforce the Convention in the Occupied Palestinian Territory, including Jerusalem, at Geneva on 15 July 1999,

Expressing its support for the declaration adopted by the reconvened Conference of High Contracting Parties to the Fourth Geneva Convention at Geneva on 5 December 2001,

Recalling in particular relevant United Nations resolutions affirming that Israeli settlements in the Occupied Palestinian Territory, including East Jerusalem, are illegal and an obstacle to peace and to economic and social development as well as those demanding the complete cessation of settlement activities,

Recalling relevant United Nations resolutions affirming that actions taken by Israel, the occupying Power, to change the status and demographic composition of Occupied East Jerusalem have no legal validity and are null and void,

Noting the agreements reached between the Government of Israel and the Palestine Liberation Organization in the context of the Middle East peace process,

Gravely concerned at the commencement and continuation of construction by Israel, the occupying Power, of a wall in the Occupied Palestinian Territory, including in and around East Jerusalem, which is in departure from the Armistice Line of 1949 (Green Line) and which has involved the confiscation and destruction of Palestinian land and resources, the disruption of the lives of thousands of protected civilians and the de facto annexation of large areas of territory, and underlining the unanimous opposition by the international community to the construction of that wall,

Gravely concerned also at the even more devastating impact of the projected parts of the wall on the Palestinian civilian population and on the prospects for solving the Palestinian-Israeli conflict and establishing peace in the region,

Welcoming the report of 8 September 2003 of the Special Rapporteur of the Commission on Human Rights on the situation of human rights in the Palestinian territories occupied by Israel since 1967,[15] in particular the section regarding the wall,

Affirming the necessity of ending the conflict on the basis of the two-State solution of Israel and Palestine living side by side in peace and security based on the Armistice Line of 1949, in accordance with relevant Security Council and General Assembly resolutions,

Having received with appreciation the report of the Secretary-General, submitted in accordance with resolution ES-10/13,[16]

Bearing in mind that the passage of time further compounds the difficulties on the ground, as Israel, the occupying Power, continues to refuse to comply with international law vis-à-vis its construction of the above-mentioned wall, with all its detrimental implications and consequences,

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[14] United Nations, *Treaty Series*, vol. 1125, No. 17512.

[15] E/CN.4/2004/6.

[16] A/ES-10/248.

Decides, in accordance with Article 96 of the Charter of the United Nations, to request the International Court of Justice, pursuant to Article 65 of the Statute of the Court, to urgently render an advisory opinion on the following question:

> "What are the legal consequences arising from the construction of the wall being built by Israel, the occupying Power, in the Occupied Palestinian Territory, including in and around East Jerusalem, as described in the report of the Secretary-General, considering the rules and principles of international law, including the Fourth Geneva Convention of 1949, and relevant Security Council and General Assembly resolutions?"

RESOLUTION ES-10/15

Adopted at the 27th plenary meeting, on 20 July 2004, by a recorded vote of 150 to 6, with 10 abstentions,* on the basis of draft resolution A/ES-10/L.18/Rev.1, as orally amended in its provisional form, sponsored by: Algeria, Bahrain, Bangladesh, Belize, Brunei Darussalam, Comoros, Cuba, Djibouti, Egypt, Guinea, Indonesia, Iraq, Jordan, Kuwait, Lebanon, Libyan Arab Jamahiriya, Malaysia, Mauritania, Morocco, Namibia, Oman, Pakistan, Qatar, Saudi Arabia, Senegal, Somalia, South Africa, Sudan, Syrian Arab Republic, Tunisia, United Arab Emirates, Yemen, Palestine

* *In favour:* Afghanistan, Albania, Algeria, Andorra, Antigua and Barbuda, Argentina, Armenia, Austria, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belgium, Belize, Bhutan, Bolivia, Bosnia and Herzegovina, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Burundi, Cambodia, Cape Verde, Chile, China, Colombia, Congo, Costa Rica, Croatia, Cuba, Cyprus, Czech Republic, Democratic People's Republic of Korea, Denmark, Djibouti, Dominica, Dominican Republic, Ecuador, Egypt, Eritrea, Estonia, Fiji, Finland, France, Gabon, Gambia, Germany, Ghana, Greece, Grenada, Guatemala, Guinea, Guyana, Haiti, Honduras, Hungary, Iceland, India, Indonesia, Iran (Islamic Republic of), Ireland, Italy, Jamaica, Japan, Jordan, Kazakhstan, Kenya, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Latvia, Lebanon, Lesotho, Libyan Arab Jamahiriya, Liechtenstein, Lithuania, Luxembourg, Malaysia, Maldives, Mali, Malta, Mauritania, Mauritius, Mexico, Monaco, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nepal, Netherlands, New Zealand, Nicaragua, Nigeria, Norway, Oman, Pakistan, Panama, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Romania, Russian Federation, Saint Lucia, Saint Vincent and the Grenadines, San Marino, Saudi Arabia, Senegal, Serbia and Montenegro, Sierra Leone, Singapore, Slovakia, Slovenia, South Africa, Spain, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Switzerland, Syrian Arab Republic, Thailand, the former Yugoslav Republic of Macedonia, Timor-Leste, Togo, Trinidad and Tobago, Tunisia, Turkey, Turkmenistan, Tuvalu, Ukraine, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, Uzbekistan, Venezuela, Viet Nam, Yemen, Zambia, Zimbabwe

Against: Australia, Israel, Marshall Islands, Micronesia (Federated States of), Palau, United States of America

Abstaining: Cameroon, Canada, El Salvador, Nauru, Papua New Guinea, Solomon Islands, Tonga, Uganda, Uruguay, Vanuatu

ES-10/15. Advisory opinion of the International Court of Justice on the *Legal Consequences of the Construction of a Wall in the Occupied Palestinian Territory*, including in and around East Jerusalem

The General Assembly,

Guided by the principles enshrined in the Charter of the United Nations,

Considering that the promotion of respect for the obligations arising from the Charter and other instruments and rules of international law is among the basic purposes and principles of the United Nations,

Recalling its resolution 2625 (XXV) of 24 October 1970 on the Declaration on Principles of International Law concerning Friendly Relations and Cooperation among States in accordance with the Charter of the United Nations,

Reaffirming the illegality of any territorial acquisition resulting from the threat or use of force,

Recalling the Regulations annexed to the Hague Convention respecting the Laws and Customs of War on Land of 1907,[4]

Recalling also the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949,[3] and relevant provisions of customary law, including those codified in Additional Protocol I to the Geneva Conventions,[14]

Recalling further the International Covenant on Civil and Political Rights,[17] the International Covenant on Economic, Social and Cultural Rights[17] and the Convention on the Rights of the Child,[18]

Reaffirming the permanent responsibility of the United Nations towards the question of Palestine until it is resolved in all aspects in a satisfactory manner on the basis of international legitimacy,

Recalling relevant Security Council resolutions, including resolutions 242 (1967) of 22 November 1967, 338 (1973) of 22 October 1973, 446 (1979) of 22 March 1979, 452 (1979) of 20 July 1979, 465 (1980) of 1 March 1980, 476 (1980) of 30 June 1980, 478 (1980) of 20 August 1980, 904 (1994) of 18 March 1994, 1073 (1996) of 28 September 1996, 1397 (2002) of 12 March 2002, 1515 (2003) of 19 November 2003 and 1544 (2004) of 19 May 2004,

Recalling also the resolutions of its tenth emergency special session on illegal Israeli actions in Occupied East Jerusalem and the rest of the Occupied Palestinian Territory,

Reaffirming the most recent resolution of the fifty-eighth session of the General Assembly on the status of the Occupied Palestinian Territory, including East Jerusalem, resolution 58/292 of 6 May 2004,

Reaffirming also the right of the Palestinian people to self-determination, including their right to their independent State of Palestine,

Reaffirming further the commitment to the two-State solution of Israel and Palestine, living side by side in peace and security within recognized borders, based on the pre-1967 borders,

Condemning all acts of violence, terrorism and destruction,

Calling upon both parties to fulfil their obligations under relevant provisions of the road map,[13] the Palestinian Authority to undertake visible efforts on the ground to arrest, disrupt and restrain individuals and groups conducting and planning violent attacks, and the Government of Israel to take no actions undermining trust, including deportations and attacks on civilians and extrajudicial killings,

Reaffirming that all States have the right and the duty to take actions in conformity with international law and international humanitarian law to counter deadly acts of violence against their civilian population in order to protect the lives of their citizens,

Recalling its resolution ES-10/13 of 21 October 2003, in which it demanded that Israel stop and reverse the construction of the wall in the Occupied Palestinian Territory, including in and around East Jerusalem,

Recalling also its resolution ES-10/14 of 8 December 2003, in which it requested the International Court of Justice to urgently render an advisory opinion on the following question:

> "What are the legal consequences arising from the construction of the wall being built by Israel, the occupying Power, in the Occupied Palestinian Territory, including in and around East Jerusalem, as described in the report of the Secretary-General, considering the rules and principles of international law, including the Fourth Geneva Convention of 1949, and relevant Security Council and General Assembly resolutions?",

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[17] See resolution 2200 A (XXI), annex.

[18] United Nations, *Treaty Series*, vol. 1577, No. 27531.

Having received with respect the advisory opinion of the Court on the *Legal Consequences of the Construction of a Wall in the Occupied Palestinian Territory*, rendered on 9 July 2004,[19]

Noting in particular that the Court replied to the question put forth by the General Assembly in resolution ES-10/14 as follows:[20]

"A. The construction of the wall being built by Israel, the occupying Power, in the Occupied Palestinian Territory, including in and around East Jerusalem, and its associated regime, are contrary to international law;

"B. Israel is under an obligation to terminate its breaches of international law; it is under an obligation to cease forthwith the works of construction of the wall being built in the Occupied Palestinian Territory, including in and around East Jerusalem, to dismantle forthwith the structure therein situated, and to repeal or render ineffective forthwith all legislative and regulatory acts relating thereto, in accordance with paragraph 151 of this Opinion;

"C. Israel is under an obligation to make reparation for all damage caused by the construction of the wall in the Occupied Palestinian Territory, including in and around East Jerusalem;

"D. All States are under an obligation not to recognize the illegal situation resulting from the construction of the wall and not to render aid or assistance in maintaining the situation created by such construction; all States Parties to the Fourth Geneva Convention relative to the Protection of Civilian Persons in Time of War of 12 August 1949 have in addition the obligation, while respecting the United Nations Charter and international law, to ensure compliance by Israel with international humanitarian law as embodied in that Convention;

"E. The United Nations, and especially the General Assembly and the Security Council, should consider what further action is required to bring to an end the illegal situation resulting from the construction of the wall and the associated regime, taking due account of the present Advisory Opinion.",

Noting that the Court concluded that "the Israeli settlements in the Occupied Palestinian Territory (including East Jerusalem) have been established in breach of international law",[21]

Noting also the statement made by the Court that "Israel and Palestine are under an obligation scrupulously to observe the rules of international humanitarian law, one of the paramount purposes of which is to protect civilian life",[22] and that "in the Court's view, this tragic situation can be brought to an end only through implementation in good faith of all relevant Security Council resolutions, in particular resolutions 242 (1967) and 338 (1973)",[22]

Considering that respect for the Court and its functions is essential to the rule of law and reason in international affairs,

1. *Acknowledges* the advisory opinion of the International Court of Justice of 9 July 2004 on the *Legal Consequences of the Construction of a Wall in the Occupied Palestinian Territory*,[19] including in and around East Jerusalem;

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[19] See A/ES-10/273 and Corr.1; see also *Legal Consequences of the Construction of a Wall in the Occupied Palestinian Territory, Advisory Opinion, I.C.J. Reports 2004*, p. 136.

[20] See A/ES-10/273 and Corr.1, advisory opinion, para. 163; see also *Legal Consequences of the Construction of a Wall in the Occupied Palestinian Territory, Advisory Opinion, I.C.J. Reports 2004*, p. 136.

[21] See A/ES-10/273 and Corr.1, advisory opinion, para. 120; see also *Legal Consequences of the Construction of a Wall in the Occupied Palestinian Territory, Advisory Opinion, I.C.J. Reports 2004*, p. 136.

[22] See A/ES-10/273 and Corr.1, advisory opinion, para. 162; see also *Legal Consequences of the Construction of a Wall in the Occupied Palestinian Territory, Advisory Opinion, I.C.J. Reports 2004*, p. 136.

2. *Demands* that Israel, the occupying Power, comply with its legal obligations as mentioned in the advisory opinion;

3. *Calls upon* all States Members of the United Nations to comply with their legal obligations as mentioned in the advisory opinion;

4. *Requests* the Secretary-General to establish a register of damage caused to all natural or legal persons concerned in connection with paragraphs 152 and 153 of the advisory opinion;

5. *Decides* to reconvene to assess the implementation of the present resolution, with the aim of ending the illegal situation resulting from the construction of the wall and its associated regime in the Occupied Palestinian Territory, including East Jerusalem;

6. *Calls upon* both the Government of Israel and the Palestinian Authority to immediately implement their obligations under the road map,[13] in cooperation with the Quartet, as endorsed by Security Council resolution 1515 (2003), to achieve the vision of two States living side by side in peace and security, and emphasizes that both Israel and the Palestinian Authority are under an obligation scrupulously to observe the rules of international humanitarian law;

7. *Calls upon* all States parties to the Fourth Geneva Convention[3] to ensure respect by Israel for the Convention, and invites Switzerland, in its capacity as the depositary of the Geneva Conventions,[9] to conduct consultations and to report to the General Assembly on the matter, including with regard to the possibility of resuming the Conference of High Contracting Parties to the Fourth Geneva Convention;

8. *Decides* to adjourn the tenth emergency special session temporarily and to authorize the President of the General Assembly at its most recent session to resume its meeting upon request from Member States.

RESOLUTION ES-10/16

Adopted at the 29th plenary meeting, on 17 November 2006, by a recorded vote of 156 to 7, with 6 abstentions,* on the basis of draft resolution A/ES-10/L.19 and Add.1, as orally revised, sponsored by Algeria, Azerbaijan, Bahrain, Bangladesh, Belarus, Botswana, Brazil, Brunei Darussalam, Comoros, Cuba, Democratic People's Republic of Korea, Djibouti, Egypt, Guinea, Indonesia, Iraq, Jordan, Kuwait, Lao People's Democratic Republic, Lebanon, Libyan Arab Jamahiriya, Malaysia, Mali, Mauritania, Morocco, Myanmar, Namibia, Oman, Pakistan, Qatar, Saudi Arabia, Senegal, Sierra Leone, Somalia, South Africa, Sudan, Syrian Arab Republic, Tunisia, United Arab Emirates, Venezuela (Bolivarian Republic of), Viet Nam, Yemen, Zimbabwe, Palestine

* *In favour:* Afghanistan, Albania, Algeria, Andorra, Antigua and Barbuda, Argentina, Armenia, Austria, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belgium, Belize, Benin, Bhutan, Bolivia, Bosnia and Herzegovina, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Cambodia, Cape Verde, Central African Republic, Chile, China, Colombia, Comoros, Congo, Costa Rica, Croatia, Cuba, Cyprus, Czech Republic, Democratic People's Republic of Korea, Denmark, Djibouti, Dominica, Ecuador, Egypt, El Salvador, Eritrea, Estonia, Ethiopia, Finland, France, Gabon, Gambia, Georgia, Germany, Ghana, Greece, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Hungary, Iceland, India, Indonesia, Iran (Islamic Republic of), Iraq, Ireland, Italy, Jamaica, Japan, Jordan, Kazakhstan, Kenya, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Latvia, Lebanon, Lesotho, Libyan Arab Jamahiriya, Liechtenstein, Lithuania, Luxembourg, Malawi, Malaysia, Maldives, Mali, Malta, Mauritania, Mauritius, Mexico, Moldova,[6] Monaco, Mongolia, Montenegro,[10] Morocco, Mozambique, Myanmar, Namibia, Nepal, Netherlands, New Zealand, Niger, Nigeria, Norway, Oman, Pakistan, Panama, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Romania, Russian Federation, Saint Lucia, San Marino, Saudi Arabia, Senegal, Serbia,[10] Sierra Leone, Singapore, Slovakia, Slovenia, Solomon Islands, Somalia, South Africa, Spain, Sudan, Suriname, Swaziland, Sweden, Switzerland, Syrian Arab Republic, Tajikistan, Thailand, the former Yugoslav Republic of Macedonia, Timor-Leste, Togo, Trinidad and Tobago, Tunisia, Turkey, Ukraine, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, Uruguay, Uzbekistan, Venezuela (Bolivarian Republic of), Viet Nam, Yemen, Zambia, Zimbabwe

Against: Australia, Israel, Marshall Islands, Micronesia (Federated States of), Nauru, Palau, United States of America

Abstaining: Canada, Côte d'Ivoire, Papua New Guinea, Tonga, Tuvalu, Vanuatu

ES-10/16. Illegal Israeli actions in Occupied East Jerusalem and the rest of the Occupied Palestinian Territory

The General Assembly,

Recalling its relevant resolutions, including resolutions of the tenth emergency special session,

Reaffirming Security Council resolutions 242 (1967) of 22 November 1967, 338 (1973) of 22 October 1973, 446 (1979) of 22 March 1979, 1322 (2000) of 7 October 2000, 1397 (2002) of 12 March 2002, 1402 (2002) of 30 March 2002, 1403 (2002) of 4 April 2002, 1405 (2002) of 19 April 2002, 1435 (2002) of 24 September 2002, 1515 (2003) of 19 November 2003 and 1544 (2004) of 19 May 2004,

Reaffirming also the applicability of the rules and principles of international law, including humanitarian and human rights laws, in particular the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949,[3] to the Occupied Palestinian Territory, including East Jerusalem,

Expressing grave concern at the continued deterioration of the situation on the ground in the Palestinian Territory occupied by Israel since 1967 during the recent period, particularly as a result of the use of force by Israel, the occupying Power, which has caused extensive loss of civilian Palestinian life and injuries, including among children and women,

Deeply deploring the military actions being carried out by Israel, the occupying Power, in the Gaza Strip, which have caused loss of life and extensive destruction of Palestinian property and vital infrastructure,

Deeply deploring also the killing of many Palestinian civilians, including children and women, by Israel, the occupying Power, that took place in Beit Hanoun on 8 November 2006,

Deeply deploring further the firing of rockets from Gaza into Israel,

Emphasizing the importance of the safety and well-being of all civilians and condemning all attacks against civilians on both sides, and stressing that the parties must respect their obligations, including by putting an end to violence,

1. *Calls upon* Israel, the occupying Power, to immediately cease its military operations that endanger the Palestinian civilian population in the Occupied Palestinian Territory, including East Jerusalem, and to immediately withdraw its forces from within the Gaza Strip to positions held prior to 28 June 2006;

2. *Calls for* the immediate cessation of military operations and all acts of violence, terror, provocation, incitement and destruction between the Israeli and Palestinian sides, including extrajudicial executions, bombardment against civilian areas, air raids and the firing of rockets, as was agreed in the Sharm el-Sheikh understandings of 8 February 2005;

3. *Requests* the Secretary-General to establish a fact-finding mission on the attack that took place in Beit Hanoun on 8 November 2006 and to report thereon to the General Assembly within thirty days;

4. *Calls upon* Israel, the occupying Power, to scrupulously abide by its obligations and responsibilities under the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949,[3] in the Occupied Palestinian Territory, including East Jerusalem;

5. *Calls upon* the Palestinian Authority to take immediate and sustained action to bring an end to violence, including the firing of rockets on Israeli territory;

6. *Emphasizes* the need to preserve Palestinian institutions, infrastructure and properties;

7. *Expresses grave concern* about the dire humanitarian situation of the Palestinian people, and calls for the continued provision of emergency assistance to them;

8. *Emphasizes* the urgency of ensuring that medical and humanitarian organizations are granted unhindered access to the Palestinian civilian population at all times and of allowing the severely injured a speedy exit outside the Occupied Palestinian Territory for needed treatment, and emphasizes also the importance of the implementation of the Agreement on Movement and Access of November 2005;

9. *Calls upon* the Quartet, together with the international community, to take immediate steps to stabilize the situation and restart the peace process, including through the possible establishment of an international mechanism for the protection of civilian populations;

10. *Calls upon* the parties, with the support of the international community, to take immediate steps, including confidence-building measures, aimed at the early resumption of direct peace negotiations towards the conclusion of a final peaceful settlement;

11. *Stresses* the importance of and the need to achieve a just, comprehensive, and lasting peace in the Middle East, based on all relevant Security Council resolutions, including resolutions 242 (1967), 338 (1973), 1397 (2002) and 1515 (2003), the Madrid terms of reference, the principle of land for peace, the Arab Peace Initiative adopted by the League of Arab States at its fourteenth session, held in Beirut on 27 and 28 March 2002,[23] and the road map;[13]

12. *Requests* the Secretary-General to report to the General Assembly on the implementation of the present resolution in a timely manner;

13. *Decides* to adjourn the tenth emergency special session temporarily and to authorize the President of the General Assembly at its most recent session to resume its meeting upon request from Member States.

RESOLUTION ES-10/17

Adopted at the 31st plenary meeting, on 15 December 2006, by a recorded vote of 162 to 7, with 7 abstentions,* on the basis of draft resolution A/ES-10/L.20/Rev.1, as orally revised, sponsored by Cuba (on behalf of the States Members of the United Nations that are members of the Movement of Non-Aligned Countries) and Palestine

* *In favour:* Afghanistan, Albania, Algeria, Andorra, Angola, Antigua and Barbuda, Argentina, Armenia, Austria, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belgium, Belize, Benin, Bhutan, Bolivia, Bosnia and Herzegovina, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Burundi, Cambodia, Cape Verde, Central African Republic, Chile, China, Colombia, Comoros, Congo, Costa Rica, Croatia, Cuba, Cyprus, Czech Republic, Democratic People's Republic of Korea, Denmark, Djibouti, Dominica, Dominican Republic, Ecuador, Egypt, El Salvador, Eritrea, Estonia, Finland, France, Gabon, Gambia, Georgia, Germany, Ghana, Greece, Grenada, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, Hungary, Iceland, India, Indonesia, Iran (Islamic Republic of), Iraq, Ireland, Italy, Jamaica, Japan, Jordan, Kazakhstan, Kenya, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Latvia, Lebanon, Lesotho, Liberia, Libyan Arab Jamahiriya, Liechtenstein, Lithuania, Luxembourg, Malaysia, Maldives, Mali, Malta, Mauritania, Mauritius, Mexico, Moldova, Monaco, Mongolia, Montenegro, Morocco, Mozambique, Myanmar, Namibia, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Pakistan, Panama, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Romania, Russian Federation, Saint Lucia, Saint Vincent and the Grenadines, San Marino, Saudi Arabia, Senegal, Serbia, Singapore, Slovakia, Slovenia, Solomon Islands, Somalia, South Africa, Spain, Sri Lanka, Sudan, Suriname, Sweden, Switzerland, Syrian Arab Republic, Tajikistan, Thailand, the former Yugoslav Republic of Macedonia, Timor-Leste, Togo, Trinidad and Tobago, Tunisia, Turkey, Turkmenistan, Ukraine, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, Uruguay, Uzbekistan, Venezuela (Bolivarian Republic of), Viet Nam, Yemen, Zambia, Zimbabwe

Against: Australia, Israel, Marshall Islands, Micronesia (Federated States of), Nauru, Palau, United States of America

Abstaining: Cameroon, Canada, Côte d'Ivoire, Malawi, Papua New Guinea, Tonga, Uganda

[23] A/56/1026-S/2002/932, annex II, resolution 14/221.

ES-10/17. Establishment of the United Nations Register of Damage Caused by the Construction of the Wall in the Occupied Palestinian Territory

The General Assembly,

Guided by the principles enshrined in the Charter of the United Nations and the rules and principles of international law, including international humanitarian law and human rights law,

Reaffirming the permanent responsibility of the United Nations towards the question of Palestine until it is resolved in all its aspects in a satisfactory manner on the basis of international legitimacy,

Recalling the relevant resolutions of the Security Council,

Recalling also its relevant resolutions, including the resolutions of its tenth emergency special session on illegal Israeli actions in Occupied East Jerusalem and the rest of the Occupied Palestinian Territory,

Recalling further the advisory opinion rendered on 9 July 2004 by the International Court of Justice on the *Legal Consequences of the Construction of a Wall in the Occupied Palestinian Territory*,[19] and recalling in particular the Court's reply to the question put forth by the General Assembly in resolution ES-10/14 of 8 December 2003, as set forth in the *dispositif* of the advisory opinion,[20]

Recalling, in this regard, the Court's conclusion that, inter alia, "Israel is under an obligation to make reparation for all damage caused by the construction of the wall in the Occupied Palestinian Territory, including in and around East Jerusalem",

Reaffirming its resolution ES-10/15 of 20 July 2004 entitled "Advisory opinion of the International Court of Justice on the *Legal Consequences of the Construction of a Wall in the Occupied Palestinian Territory*, including in and around East Jerusalem",

Recalling the request made in resolution ES-10/15 for the Secretary-General to establish a register of damage caused to all natural or legal persons concerned in connection with paragraphs 152 and 153 of the advisory opinion,

Noting, in this connection, the Court's conclusion whereby, inter alia:

> "Israel is accordingly under an obligation to return the land, orchards, olive groves and other immovable property seized from any natural or legal person for purposes of construction of the wall in the Occupied Palestinian Territory. In the event that such restitution should prove to be materially impossible, Israel has an obligation to compensate the persons in question for the damage suffered. The Court considers that Israel also has an obligation to compensate, in accordance with the applicable rules of international law, all natural or legal persons having suffered any form of material damage as a result of the wall's construction.",[24]

Deploring the continuing construction, contrary to international law, by Israel, the occupying Power, of the wall in the Occupied Palestinian Territory, including in and around East Jerusalem, against the conclusions of the International Court of Justice in its advisory opinion of 9 July 2004 and resolution ES-10/15 and in breach of the applicable rules and principles of international law,

Recognizing the necessity of accurately documenting the damage caused by the construction of the wall for the purpose of fulfilling the obligation to make the above-mentioned reparations, including restitution and compensation, in accordance with the rules and

[24] See A/ES-10/273 and Corr.1, advisory opinion, para. 153; see also *Legal Consequences of the Construction of a Wall in the Occupied Palestinian Territory, Advisory Opinion, I.C.J. Reports 2004*, p. 136.

principles of international law, and noting that the act of registration of damage, as such, does not entail, at this stage, an evaluation or assessment of the loss or damage caused by the construction of the wall,

Taking note with appreciation of the report of the Secretary-General of 17 October 2006 pursuant to resolution ES-10/15,[25]

1. *Reaffirms* its resolution ES-10/15 entitled "Advisory opinion of the International Court of Justice on the *Legal Consequences of the Construction of a Wall in the Occupied Palestinian Territory*, including in and around East Jerusalem", and reiterates the demands made therein, inter alia, the demand that Israel, the occupying Power, comply with its legal obligations as mentioned in the advisory opinion;[19]

2. *Takes note with appreciation* of the report of the Secretary-General submitted pursuant to resolution ES-10/15;[25]

3. *Establishes* the United Nations Register of Damage Caused by the Construction of the Wall in the Occupied Palestinian Territory:

(*a*) To serve as a record, in documentary form, of the damage caused to all natural and legal persons concerned as a result of the construction of the wall by Israel, the occupying Power, in the Occupied Palestinian Territory, including in and around East Jerusalem;

(*b*) To be referred to henceforth in brief as the "Register of Damage";

4. *Decides* to set up an office of the Register of Damage, which will be:

(*a*) Responsible for the establishment and comprehensive maintenance of the Register of Damage;

(*b*) Composed of a three-member Board and a small secretariat, headed by an Executive Director and consisting of substantive, administrative and technical support staff;

(*c*) A subsidiary organ of the General Assembly operating under the administrative authority of the Secretary-General;

(*d*) Established at the site of the United Nations Office at Vienna;

5. *Requests* the Secretary-General to appoint the three-member Board of the Office of the Register of Damage, according to the selection criteria in the above-mentioned report, at the earliest practicable date;

6. *Decides* that the responsibilities assumed by the Board of the Office of the Register of Damage shall be as follows:

(*a*) The Board shall have overall responsibility for the establishment and maintenance of the Register of Damage;

(*b*) The Board shall establish the rules and regulations governing the work of the Office of the Register of Damage;

(*c*) The Board shall determine the eligibility criteria, bearing in mind varying circumstances with regard to the title and residency status of the claimants, for the inclusion of damages and losses caused in the Register of Damage with an established causal link to the construction of the wall;

(*d*) The Board shall, guided by the relevant findings of the advisory opinion, general principles of international law and principles of due process of law, also determine the criteria of damage and the procedure for the collection and registration of damage claims;

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[25] A/ES-10/361.

(*e*) The Board, on the recommendation of the Executive Director, shall have the ultimate authority in determining the inclusion of damage claims in the Register of Damage;

(*f*) The Board shall meet at least four times each year at the Office of the Register of Damage to determine which claims should be included in the Register of Damage, based on the established objective criteria defined in the rules and regulations;

(*g*) The Board shall engage, periodically and as deemed necessary, the expertise of technical specialists in relevant fields, inter alia, agriculture, land law, topography and assessment and compensation, to assist it in establishing and maintaining the Register of Damage;

(*h*) The Board shall render progress reports periodically to the Secretary-General for transmission to the General Assembly, including, as appropriate, possible further steps in connection with paragraphs 152 and 153 of the advisory opinion;

7. *Requests* the Secretary-General to appoint, at the earliest practicable date, the Executive Director of the Office of the Register of Damage, who shall:

(*a*) Have responsibility for overseeing and administrating the work of the secretariat of the Office of the Register of Damage;

(*b*) Be responsible for forwarding all damage claims to the Board for its approval for inclusion in the Register of Damage and serve in an advisory capacity to the Board in this regard;

8. *Decides* that the secretariat of the Office of the Register of Damage shall provide substantive, technical and administrative support for the establishment and maintenance of the Register of Damage by undertaking, inter alia, the following functions:

(*a*) Designing the format of the damage claims;

(*b*) Administering a public awareness programme to inform the Palestinian public about the possibility of and the requirements for filing a damage claim for registration, including an extensive community outreach programme to explain the purpose of the Register of Damage and provide guidance on how to fill out and submit the claim forms;

(*c*) Receiving and processing all damage claims and establishing the credibility of the causal link of those claims to the construction of the wall for registration in the Register of Damage;

(*d*) Submitting all processed damage claims through the Executive Director to the Board for inclusion in the Register of Damage;

(*e*) Aggregating and maintaining the records of damage claims approved by the Board, including both hard copies of the claims and their electronic version, which shall be maintained at the Office of the Register of Damage;

(*f*) Providing legal advice regarding the operations of the Office of the Register of Damage and the submitted claims;

9. *Resolves* that the Register of Damage shall remain open for registration for the duration of existence of the wall in the Occupied Palestinian Territory, including in and around East Jerusalem;

10. *Resolves also* that the Office of the Register of Damage shall remain active for the duration of the process of registration and shall carry out the specific functions and directives ascribed to it by the Secretary-General in his report, as set out in the present resolution, and such additional functions as requested by the General Assembly upon recommendation by the Secretary-General;

11. *Calls for* the establishment and operation of the Office of the Register of Damage and the establishment of the Register of Damage itself within six months of the adoption of the present resolution and the immediate undertaking thereafter of the process of registration of damage claims;

12. *Instructs* the Office of the Register of Damage, immediately upon its establishment, to seek the cooperation of the concerned Governments and authorities so as to facilitate its work in connection with the collection, submission and processing of damage claims in the Occupied Palestinian Territory, including East Jerusalem;

13. *Calls upon* the Government of Israel and the Palestinian Authority and relevant Palestinian institutions to cooperate with the Office of the Register of Damage;

14. *Calls upon* the Secretary-General to instruct the United Nations agencies and offices present on the ground in the Occupied Palestinian Territory to lend their support and expertise to the Office of the Register of Damage, upon its request, so as to facilitate its work;

15. *Requests* the Secretary-General to provide the necessary staff and facilities and to make appropriate arrangements to provide the necessary funds required to carry out the terms of the present resolution;

16. *Also requests* the Secretary-General to report to the General Assembly within six months on the progress made with regard to the establishment and operation of the Office of the Register of Damage and the establishment of the Register of Damage;

17. *Decides* to adjourn the tenth emergency special session temporarily and to authorize the President of the General Assembly at its most recent session to resume the meeting of the special session upon request from Member States.

RESOLUTION ES-10/18

Adopted at the 36th plenary meeting, on 16 January 2009, by a recorded vote of 142 to 4, with 8 abstentions,* on the basis of draft resolution A/ES-10/L.21/Rev.1, sponsored by Egypt

* *In favour:* Afghanistan, Albania, Algeria, Andorra, Angola, Argentina, Armenia, Austria, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belgium, Belize, Benin, Bhutan, Bolivia, Bosnia and Herzegovina, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Burundi, Cambodia, Chile, China, Colombia, Comoros, Congo, Costa Rica, Croatia, Cuba, Cyprus, Czech Republic, Democratic People's Republic of Korea, Denmark, Egypt, El Salvador, Eritrea, Estonia, Ethiopia, Finland, France, Gambia, Germany, Greece, Grenada, Guatemala, Guinea, Guyana, Haiti, Honduras, Hungary, Iceland, India, Iraq, Ireland, Italy, Jamaica, Japan, Jordan, Kazakhstan, Kenya, Kuwait, Lao People's Democratic Republic, Latvia, Lebanon, Lesotho, Libyan Arab Jamahiriya, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malaysia, Maldives, Mali, Malta, Mauritania, Mauritius, Mexico, Monaco, Mongolia, Montenegro, Morocco, Mozambique, Myanmar, Namibia, Nepal, Netherlands, New Zealand, Niger, Norway, Oman, Pakistan, Panama, Papua New Guinea, Peru, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova,[6] Romania, Russian Federation, Saint Lucia, Saint Vincent and the Grenadines, San Marino, Saudi Arabia, Senegal, Serbia, Sierra Leone, Singapore, Slovakia, Slovenia, Solomon Islands, South Africa, Spain, Sri Lanka, Swaziland, Sweden, Switzerland, Tajikistan, Thailand, the former Yugoslav Republic of Macedonia, Togo, Trinidad and Tobago, Tunisia, Turkey, Uganda, Ukraine, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, Uruguay, Uzbekistan, Viet Nam, Yemen, Zambia, Zimbabwe

Against: Israel, Nauru, United States of America, Venezuela (Bolivarian Republic of)

Abstaining: Australia, Canada, Côte d'Ivoire, Ecuador, Indonesia, Iran (Islamic Republic of), Nigeria, Syrian Arab Republic

ES-10/18. General Assembly resolution supporting the immediate ceasefire according to Security Council resolution 1860 (2009)

The General Assembly,

Reaffirming the permanent responsibility of the United Nations with regard to the question of Palestine until it is solved in all its aspects, in accordance with international law,

Recalling the relevant rules and principles of international law, including international humanitarian and human rights law, particularly the Fourth Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949,[3] which is applicable to the Occupied Palestinian Territory, including East Jerusalem,

Expressing grave concern about the developments on the ground since the adoption of Security Council resolution 1860 (2009) on 8 January 2009, especially following the intensified military operations in the Gaza Strip, causing heavy casualties among civilians, including children and women, and the shelling of United Nations headquarters, hospitals, media premises and public infrastructure, and emphasizing that the Palestinian and Israeli civilian populations must be protected and that their suffering must end,

Convinced that achieving a just, lasting and comprehensive settlement of the question of Palestine, the core of the Arab-Israeli conflict, is imperative for the attainment of comprehensive, just and lasting peace and stability in the Middle East,

1. *Demands* full respect for Security Council resolution 1860 (2009), including its urgent call for an immediate, durable and fully respected ceasefire, leading to the full withdrawal of Israeli forces from the Gaza Strip, and its call for the unimpeded provision and distribution throughout the Gaza Strip of humanitarian assistance, including food, fuel and medical treatment;

2. *Calls upon* all parties to exert all efforts to ensure, in cooperation with the Security Council, full and urgent compliance with resolution 1860 (2009);

3. *Expresses its support* for international and regional initiatives and efforts under way and for the mission undertaken by the Secretary-General of the United Nations;

4. *Expresses its support* for the extraordinary efforts by the United Nations agencies, particularly the United Nations Relief and Works Agency for Palestine Refugees in the Near East, to provide emergency relief, medical and other humanitarian assistance to the Palestinian civilian population in the Gaza Strip;

5. *Calls upon* all Member States to urgently extend the necessary support to international and regional efforts aimed at alleviating the critical humanitarian and economic situation in the Gaza Strip, and emphasizes in this regard the need to ensure the sustained opening of border crossings for the free movement of persons and goods into and out of the Gaza Strip, in accordance with the Agreement on Movement and Access of 15 November 2005;

6. *Decides* to adjourn the tenth emergency special session temporarily and to authorize the President of the General Assembly at its most recent session to resume its meeting upon request from Member States.

III. Decisions

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A. Elections and appointments

ES-10/101. Appointment of the members of the Credentials Committee

A

At its 1st plenary meeting, on 24 April 1997, the General Assembly decided that the Credentials Committee for the tenth emergency special session, appointed in accordance with rule 28 of the rules of procedure of the Assembly, would have the same composition as that for the fifty-first session.

As a result, the Committee was composed of the following Member States: China, Dominican Republic, Gabon, Netherlands, Paraguay, Philippines, Russian Federation, Sierra Leone and United States of America.

B

At its 6th plenary meeting, on 13 November 1997, the General Assembly decided that the Credentials Committee for the resumed tenth emergency special session, appointed in accordance with rule 28 of the rules of procedure of the Assembly, would have the same composition as that for the fifty-second session.

As a result, the Committee was composed of the following Member States: Argentina, Barbados, Bhutan, China, Côte d'Ivoire, Norway, Russian Federation, United States of America and Zambia.

C

At its 10th plenary meeting, on 5 February 1999, the General Assembly decided that the Credentials Committee for the resumed tenth emergency special session, appointed in accordance with rule 28 of the rules of procedure of the Assembly, would have the same composition as that for the fifty-third session.

As a result, the Committee was composed of the following Member States: China, Fiji, Jamaica, Mali, New Zealand, Russian Federation, United States of America, Venezuela and Zimbabwe.

D

At its 13th plenary meeting, on 18 October 2000, the General Assembly decided that the Credentials Committee for the resumed tenth emergency special session, appointed in accordance with rule 28 of the rules of procedure of the Assembly, would have the same composition as that for the fifty-fifth session.

As a result, the Committee was composed of the following Member States: Bahamas, China, Ecuador, Gabon, Ireland, Mauritius, Russian Federation, Thailand and United States of America.

E

At its 15th plenary meeting, on 20 December 2001, the General Assembly decided that the Credentials Committee for the resumed tenth emergency special session, appointed in accordance with rule 28 of the rules of procedure of the Assembly, would have the same composition as that for the fifty-sixth session.

As a result, the Committee was composed of the following Member States: China, Denmark, Jamaica, Lesotho, Russian Federation, Senegal, Singapore, United States of America and Uruguay.

F

At its 16th plenary meeting, on 7 May 2002, the General Assembly decided that the Credentials Committee for the resumed tenth emergency special session, appointed in accordance with rule 28 of the rules of procedure of the Assembly, would have the same composition as that for the fifty-sixth session.

As a result, the Committee was composed of the following Member States: China, Denmark, Jamaica, Lesotho, Russian Federation, Senegal, Singapore, United States of America and Uruguay.

G

At its 28th plenary meeting, on 17 November 2006, the General Assembly decided that the Credentials Committee for the resumed tenth emergency special session, appointed in accordance with rule 28 of the rules of procedure of the Assembly, would have the same composition as that for the sixty-first session.

As a result, the Committee was composed of the following Member States: China, Guyana, Kenya, Madagascar, Monaco, Peru, Russian Federation, Tonga and United States of America.

H

At its 32nd plenary meeting, on 15 January 2009, the General Assembly decided that the Credentials Committee for the resumed tenth emergency special session, appointed in accordance with rule 28 of the rules of procedure of the Assembly, would have the same composition as that for the sixty-third session.

As a result, the Committee was composed of the following Member States: Botswana, China, Cyprus, Luxembourg, Mexico, Mozambique, Russian Federation, Saint Kitts and Nevis and United States of America.

B. Other decisions

ES-10/201. Adoption of the agenda

At its 1st plenary meeting, on 24 April 1997, the General Assembly adopted the agenda for the tenth emergency special session.[1]

ES-10/202. Organization of the tenth emergency special session of the General Assembly

At its 6th plenary meeting, on 13 November 1997, the General Assembly, at the request of the Permanent Representative of Malta to the United Nations, in his capacity as Chairman of the Group of Western European and Other States for the month of November, decided to hear the observer of Switzerland in the debate during the tenth emergency special session.

At its 8th plenary meeting, on 17 March 1998, the General Assembly, at the request of the Permanent Representative of the Netherlands to the United Nations, in his capacity as Chairman of the Group of Western European and Other States for the month of March, decided to hear the observer of Switzerland in the debate during the tenth emergency special session.

At its 10th plenary meeting, on 5 February 1999, the General Assembly, at the request of the Permanent Representative of Canada to the United Nations, in his capacity as Chairman of the Group of Western European and Other States for the month of February, decided to hear the

[1] A/ES-10/4.

observer of Switzerland in the debate at the present and any future meetings of the resumed tenth emergency special session.

At its 36th plenary meeting, on 16 January 2009, the General Assembly, at the request of the Permanent Representative of Egypt to the United Nations, decided, by a recorded vote of 112 to 10, with 20 abstentions,[2] to vote on the proposal submitted by Egypt[3] first, in the light of rule 91 of the rules of procedure of the Assembly.

ES-10/203. Illegal Israeli actions in Occupied East Jerusalem and the rest of the Occupied Palestinian Territory

At its 23rd plenary meeting, on 8 December 2003, the General Assembly, by a recorded vote of 111 to 7, with 55 abstentions,[4] adopted a draft decision sponsored by Algeria, Bahrain, Bangladesh, Brunei Darussalam, the Comoros, Cuba, Djibouti, Egypt, Indonesia, Jordan, Kuwait, Lebanon, the Libyan Arab Jamahiriya, Malaysia, Mauritania, Morocco, Namibia, Oman, Qatar, Saudi Arabia, Senegal, Somalia, South Africa, the Sudan, Tunisia, the United Arab Emirates, Yemen and Palestine[5] and thereby decided to adjourn the tenth emergency special session temporarily and to authorize the current President of the General Assembly to resume its meetings upon request from Member States.

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[2] The voting was as follows:

In favour: Afghanistan, Albania, Andorra, Argentina, Armenia, Australia, Austria, Azerbaijan, Bahrain, Belarus, Belgium, Benin, Bosnia and Herzegovina, Brazil, Bulgaria, Burkina Faso, Burundi, Cambodia, Canada, Chile, China, Colombia, Comoros, Congo, Costa Rica, Croatia, Cyprus, Czech Republic, Democratic People's Republic of Korea, Denmark, Dominica, Egypt, El Salvador, Eritrea, Estonia, Ethiopia, Finland, France, Germany, Greece, Guatemala, Guinea, Hungary, Iceland, Iraq, Ireland, Italy, Japan, Jordan, Kazakhstan, Kenya, Kuwait, Lao People's Democratic Republic, Latvia, Lebanon, Libyan Arab Jamahiriya, Liechtenstein, Lithuania, Luxembourg, Madagascar, Maldives, Mali, Mauritania, Mauritius, Mexico, Monaco, Mongolia, Montenegro, Morocco, Mozambique, Namibia, Netherlands, New Zealand, Nigeria, Norway, Oman, Panama, Peru, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Russian Federation, San Marino, Saudi Arabia, Serbia, Sierra Leone, Singapore, Slovakia, Slovenia, Solomon Islands, Spain, Sri Lanka, Swaziland, Sweden, Switzerland, Tajikistan, Thailand, the former Yugoslav Republic of Macedonia, Togo, Turkey, Uganda, Ukraine, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, Uruguay, Uzbekistan, Zambia, Zimbabwe

Against: Bolivia, Brunei Darussalam, Cuba, Ecuador, Indonesia, Iran (Islamic Republic of), Malaysia, Nicaragua, Syrian Arab Republic, Venezuela (Bolivarian Republic of)

Abstaining: Barbados, Belize, Bhutan, Botswana, Côte d'Ivoire, Grenada, Guyana, Haiti, India, Jamaica, Lesotho, Myanmar, Nepal, Niger, Pakistan, Saint Lucia, Saint Vincent and the Grenadines, South Africa, Trinidad and Tobago, Yemen.

[3] A/ES-10/L.21/Rev.1.

[4] The voting was as follows:

In favour: Afghanistan, Algeria, Antigua and Barbuda, Argentina, Armenia, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belize, Benin, Bhutan, Bolivia, Botswana, Brazil, Brunei Darussalam, Burkina Faso, Cambodia, Cape Verde, Central African Republic, Chad, Chile, China, Comoros, Congo, Costa Rica, Côte d'Ivoire, Cuba, Cyprus, Democratic People's Republic of Korea, Djibouti, Ecuador, Egypt, Ethiopia, Gabon, Gambia, Ghana, Grenada, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, India, Indonesia, Iran (Islamic Republic of), Jamaica, Japan, Jordan, Kazakhstan, Kenya, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Lebanon, Lesotho, Libyan Arab Jamahiriya, Malaysia, Maldives, Mali, Mauritania, Mauritius, Mexico, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nepal, Niger, Nigeria, Oman, Pakistan, Panama, Paraguay, Peru, Philippines, Qatar, Russian Federation, Saint Lucia, Saint Vincent and the Grenadines, Saudi Arabia, Senegal, Sierra Leone, Singapore, Somalia, South Africa, Sri Lanka, Sudan, Suriname, Swaziland, Syrian Arab Republic, Tajikistan, Thailand, Togo, Trinidad and Tobago, Tunisia, Turkey, Turkmenistan, Uganda, United Arab Emirates, United Republic of Tanzania, Uruguay, Uzbekistan, Venezuela, Viet Nam, Yemen, Zambia, Zimbabwe

Against: Australia, Israel, Marshall Islands, Micronesia (Federated States of), Nauru, Palau, United States of America

Abstaining: Albania, Andorra, Austria, Belgium, Bosnia and Herzegovina, Bulgaria, Burundi, Canada, Colombia, Croatia, Czech Republic, Denmark, Dominican Republic, Estonia, Fiji, Finland, France, Georgia, Germany, Greece, Honduras, Hungary, Iceland, Ireland, Italy, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, Monaco, Netherlands, New Zealand, Nicaragua, Norway, Papua New Guinea, Poland, Portugal, Republic of Korea, Republic of Moldova, Romania, Samoa, San Marino, Serbia and Montenegro, Slovakia, Slovenia, Solomon Islands, Spain, Sweden, Switzerland, the former Yugoslav Republic of Macedonia, Tonga, Ukraine, United Kingdom of Great Britain and Northern Ireland, Vanuatu.

[5] A/ES-10/L.17 and Add.1.

Annex

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